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PUBLIC SAFETY OFFICERS BENEFITS ACT

GOVERNMENT

DOCUMENTS

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP,
AND INTERNATIONAL LAW

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

NINETY-FOURTH CONGRESS

FIRST SESSION

ON

H.R. 365, H.R. 366, and H.R. 3544

PUBLIC SAFETY OFFICERS BENEFITS ACT, DEATH BENEFITS TO SURVIVORS OF PUBLIC SAFETY OFFICERS WHO DIE IN THE PERFORMANCE OF DUTY

SEPTEMBER 18 and 19, 1975

Serial No. 18



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PUBLIC SAFETY OFFICERS BENEFITS ACT

THURSDAY, SEPTEMBER 18, 1975

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON IMMIGRATION,
CITIZENSHIP, AND INTERNATIONAL LAW
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:10 a.m., in room 2237, Rayburn House Office Building, Hon. Joshua Eilberg [chairman of the subcommittee] presiding.

Present: Representatives Eilberg, Sarbanes, Dodd, Russo, and Fish. Also present: Garner J. Cline and Arthur P. Endres, Jr., counsels; Janice A. Zarro, assistant counsel; and Alexander B. Cook, associate counsel.

Mr. EILBERG. The subcommittee will come to order.

This morning and tomorrow morning we will be conducting hearings on death benefits to survivors of public safety officers who die in the performance of duty.

Our first witness is Mr. Hugh M. Durham, legislative counsel, the Office of Legislative Affairs in the Department of Justice.

First, Mr. Fish and I would like to make statements, if you will stand by for a moment.

Today's hearings have been called in order to consider several bills which have been introduced to provide a lump sum death gratuity to the surviving dependents of public safety officers who are killed in the line of duty.

The primary bills under consideration today will be H.R. 3544, introduced by the chairman of the judiciary committee, which would provide a \$50,000 death benefit to the survivors of public safety officers including both law enforcement officers and firemen. Also considered will be the two bills which I have introduced which provide identical coverage but in separate pieces of legislation—H.R. 365 would cover firemen and H.R. 366 provides coverage for law enforcement officers.

[Copies of H.R. 365, H.R. 366, and H.R. 3544 follow:]

94TH CONGRESS
1ST SESSION

H. R. 365

IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 1975

Mr. EILBERG introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain firefighters who die in the performance of duty.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Firefighters Benefits
4 Act of 1975".

5 SEC. 2. Title I of the Omnibus Crime Control and Safe
6 Streets Act of 1968 is amended by adding at the end thereof
7 the following new part:

8 "PART J—FIREFIGHTERS DEATH BENEFITS

9 "SEC. 701. (a) In any case in which the Administra-
10 tion determines, under regulations issued under Part F of

I

1 this title, that an eligible firefighter has died as the direct and
 2 proximate result of a personal injury sustained in the per-
 3 formance of duty, leaving a spouse or one or more eligible
 4 dependents, the Administration shall pay a gratuity of
 5 \$50,000, in the following order of precedence:

6 “(1) If there is no dependent child, to the spouse.

7 “(2) If there is no spouse, to the dependent child
 8 or children, in equal shares.

9 “(3) If there are both a spouse and one or more
 10 dependent children, one-half to the spouse and one-half
 11 to the child or children, in equal shares.

12 “(4) If there is no survivor in the above classes, to
 13 the parent or parents dependent for support on the
 14 decedent, in equal shares.

15 “(b) As used in this section, a dependent child is any
 16 natural, illegitimate, adopted, posthumous child, or stepchild
 17 of the decedent who at the time of the firefighter's death is—

18 “(1) under eighteen years of age; or

19 “(2) over eighteen years of age and incapable of
 20 self-support because of physical or mental disability; or

21 “(3) over eighteen years of age and a student as
 22 defined by section 8101 of title 5, United States Code.

23 “(c) As used in this section, spouse includes a surviving
 24 husband or wife living with or dependent for support on the

1 decedent at the time of his death, or living apart for reason-
2 able cause or because of desertion by the decedent.

3 “(d) As used in this section, the term ‘dependent for
4 support’ means more than one-half of the support of the
5 dependent concerned.

6 “(e) As used in this section, the term ‘eligible fire-
7 fighter’ means any individual serving, with or without
8 compensation, as a firefighter (including any individual
9 serving as an officially recognized or designated member of a
10 legally organized volunteer fire department) who is deter-
11 mined by the Administration to have been, at the time of
12 his injury—

13 “(1) actually and directly engaged in fighting a
14 fire; or

15 “(2) otherwise engaged in the performance of his
16 duty where the activity is determined by the Adminis-
17 tration to be potentially dangerous to the firefighter.

18 “SEC. 702. (a) Whenever the Administration deter-
19 mines, upon a showing of need and prior to taking final
20 action, that a death of a firefighter is one with respect to
21 which a benefit will probably be paid, the Administration
22 may make an interim benefit payment not exceeding \$3,000
23 to the person or persons entitled to receive a benefit under
24 section 701 of this part.

1 “(b) The amount of any interim benefit paid under
2 subsection (a) of this section shall be deducted from the
3 amount of any final benefit paid to such person or persons.

4 “(c) Where there is no final benefit paid, the recipient
5 of any interim benefit paid under subsection (a) of this sec-
6 tion shall be liable for repayment of such amount. The Ad-
7 ministration may waive all or part of such repayment, and
8 shall consider for this purpose the hardship which would
9 result from repayment.

10 “SEC. 703. (a) No benefit shall be paid under this
11 part—

12 “(1) if the death was caused by the intentional mis-
13 conduct of the firefighter or by such firefighter's inten-
14 tion to bring about his death;

15 “(2) if voluntary intoxication of the firefighter
16 was the proximate cause of such officer's death; or

17 “(3) to any person who would otherwise be entitled
18 to a benefit under this part if such person's actions were
19 a substantial contributing factor to the death of the
20 firefighter.

21 “(b) The benefit payable under this part shall be in
22 addition to any other benefit that may be due from any
23 other source, but shall be reduced by—

24 “(1) payments authorized by section 8191 of title
25 5, United States Code;

1 “(2) payments authorized by section 12 (k) of the
2 Act of September 1, 1916, as amended (D.C. Code,
3 sec. 4-531 (1)).

4 “(c) No benefit paid under this part shall be subject to
5 execution or attachment.

6 “SEC. 704. The provisions of this part shall apply with
7 respect to any eligible firefighter who dies as the direct
8 and proximate result of a personal injury which is sustained
9 on or after October 11, 1972.”.

10 SEC. 3. Section 520 of the Omnibus Crime Control and
11 Safe Streets Act of 1968, as amended, is amended by insert-
12 ing “(a)” immediately after “520” and by adding at the
13 end thereof the following new subsection:

14 “(b) There are authorized to be appropriated in each
15 fiscal year such sums as may be necessary to carry out the
16 purposes of part J.”.

17 SEC. 4. Until specific appropriations are made for carry-
18 ing out the purposes of this Act, any appropriation made to
19 the Department of Justice or the Law Enforcement Assist-
20 ance Administration for grants, activities, or contracts shall,
21 in the discretion of the Attorney General, be available for
22 payments of obligations arising under this Act.

23 SEC. 5. The Administration is authorized to establish
24 such rules, regulations, and procedures as may be neces-
25 sary to carry out the purposes of this part J. Such rules,

1 regulations, and procedures will be determinative of con-
2 flict of laws issues arising under this part J.

3 SEC. 6. The Administration may prescribe rules and
4 regulations governing the recognition of agents or other
5 persons, representing claimants before the Administration.
6 The Administration may, by rule and regulation, prescribe
7 the maximum fees which may be charged for services per-
8 formed in connection with any claim before the administra-
9 tion of this part, and any agreement in violation of such rules
10 and regulations shall be void.

11 SEC. 7. In making determinations under section 701,
12 the Administration may delegate such administrative func-
13 tions to the State and local agencies as it determines necessary
14 and proper to the administration of this part. Responsibility
15 for making final determinations would rest with the
16 Administration.

17 SEC. 8. If the provisions of any part of this Act
18 are found invalid or any amendments made thereby or the
19 application thereof to any person or circumstances be held
20 invalid, the provisions of the other parts and their applica-
21 tion to other persons or circumstances shall not be affected
22 thereby.

94TH CONGRESS
1ST SESSION

H. R. 366

IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 1975

Mr. EILBERG introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain public safety officers who die in the performance of duty.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Public Safety Officers
4 Benefits Act of 1975".

5 SEC. 2. Title I of the Omnibus Crime Control and Safe
6 Streets Act of 1968 is amended by adding at the end thereof
7 the following new part:

8 "PART J.—PUBLIC SAFETY OFFICERS DEATH BENEFITS

9 "SEC. 701. (a) In any case in which the Administra-
10 tion determines, under regulations issued under part F of

1 this title, that an eligible public safety officer has died as the
2 direct and proximate result of a personal injury sustained in
3 the performance of duty, leaving a spouse or one or more
4 eligible dependents, the Administration shall pay a gratuity
5 of \$50,000, in the following order of precedence:

6 " (1) If there is no dependent child, to the spouse.

7 " (2) If there is no spouse, to the dependent child
8 or children, in equal shares.

9 " (3) If there are both a spouse and one or more
10 dependent children, one-half to the spouse and one-half
11 to the child or children, in equal shares.

12 " (4) If there is no survivor in the above classes, to
13 the parent or parents dependent for support on the
14 decedent, in equal shares.

15 " (b) As used in this section, a dependent child is any
16 natural, illegitimate, adopted, posthumous child or stepchild
17 of the decedent who at the time of the public safety officer's
18 death is—

19 " (1) under eighteen years of age; or

20 " (2) over eighteen years of age and incapable of
21 self-support because of physical or mental disability; or

22 " (3) over eighteen years of age and a student as
23 defined by section 8101 of title 5, United States Code.

24 " (c) As used in this section, spouse includes a surviving
25 husband or wife living with or dependent for support on the

1 decedent at the time of his death, or living apart for reason-
2 able cause or because of desertion by the decedent.

3 “(d) As used in this section, the term ‘dependent for
4 support’ means more than one-half of the support of the
5 dependent concerned.

6 “(e) As used in this section, the term ‘law enforcement
7 officer’ means a person engaged in any activity pertaining to
8 crime prevention, control, or reduction or the enforcement
9 of the criminal law, including, but not limited to police ef-
10 forts to prevent, control, or reduce crime or to apprehend
11 criminals; activities of corrections, probation, or parole au-
12 thorities; and programs relating to the prevention, control,
13 or reduction of juvenile delinquency or narcotic addiction.

14 “(f) As used in this section, the term ‘crime’ means any
15 act or omission which is declared by law to be a crime in the
16 jurisdiction where the injury to the public safety officer
17 occurred. Such an act is a crime for the purposes of this sec-
18 tion notwithstanding the guilt, innocence, disability, or
19 identity of the actor.

20 “(g) As used in this section, the term ‘eligible public
21 safety officer’ means any individual serving, with or with-
22 out compensation, a public agency in an official capacity as
23 a law enforcement officer who is determined by the Adminis-
24 tration to have been, at the time of his injury engaged in—

1 “(1) the apprehension or attempted apprehension
2 of any person—

3 “(A) for the commission of a crime, or

4 “(B) who at that time was sought as a material
5 witness in a criminal proceeding; or

6 “(2) protecting or guarding a person held for the
7 commission of a crime or held as a material witness in
8 connection with a crime; or

9 “(3) the lawful prevention of, or lawful attempt
10 to prevent, the commission of a crime; or

11 “(4) the performance of his duty, where the ac-
12 tivity is determined by the Administration to be poten-
13 tially dangerous to the law enforcement officer.

14 “SEC. 702. (a) Whenever the Administration deter-
15 mines, upon a showing of need and prior to taking final
16 action, that a death of a public safety officer is one with
17 respect to which a benefit will probably be paid, the Admin-
18 istration may make an interim benefit payment not exceeding
19 \$3,000 to the person or persons entitled to receive a benefit
20 under section 701 of this part.

21 “(b) The amount of any interim benefit paid under
22 subsection (a) of this section shall be deducted from the
23 amount of any final benefit paid to such person or persons.

24 “(c) Where there is no final benefit paid, the recipient
25 of any interim benefit paid under subsection (a) of this sec-

1 tion shall be liable for repayment of such amount. The
2 Administration may waive all or part of such repayment,
3 and shall consider for this purpose the hardship which would
4 result from repayment.

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6 part—

7 " (1) if the death was caused by the intentional
8 misconduct of the public safety officer or by such offi-
9 cer's intention to bring about his death;

10 " (2) if voluntary intoxication of the public safety
11 officer was the proximate cause of such officer's death; or

12 " (3) to any person who would otherwise be entitled
13 to a benefit under this part if such person's actions were
14 a substantial contributing factor to the death of the
15 public safety officer.

16 " (b) The benefit payable under this part shall be in
17 addition to any other benefit that may be due from any
18 other source, but shall be reduced by—

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20 5, United States Code;

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1 The Administration may, by rule and regulation, prescribe
2 the maximum fees which may be charged for services per-
3 formed in connection with any claim before the administra-
4 tion of this part, and any agreement in violation of such rules
5 and regulations shall be void.

6 SEC. 7. In making determinations under section 701,
7 the Administration may delegate such administrative func-
8 tions to State and local agencies as it determines necessary
9 and proper to the administration of this part. Responsibility
10 for making final determinations would rest with the
11 Administration.

12 SEC. 8. If the provisions of any part of this Act
13 are found invalid or any amendments made thereby or the
14 application thereof to any person or circumstances be held
15 invalid, the provisions of the other parts and their applica-
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17 thereby.

94TH CONGRESS
1ST SESSION

H. R. 3544

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 1975

Mr. RODINO introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Public Safety Officers
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4 or more eligible dependents, the Administration shall pay
5 a gratuity of \$50,000, in the following order of precedence:

6 “(1) If there is no dependent child, to the spouse.

7 “(2) If there is no spouse, to the dependent child
8 or children, in equal shares.

9 “(3) If there are both a spouse and one or more
10 dependent children, one-half to the spouse and one-half
11 to the child or children, in equal shares.

12 “(4) If there is no survivor in the above classes,
13 to the parent or parents dependent for support on the
14 decedent, in equal shares.

15 “(b) As used in this section, a dependent child is any
16 natural, illegitimate, adopted, posthumous child or stepchild
17 of the decedent who at the time of the public safety officer's
18 death is—

19 “(1) under eighteen years of age; or

20 “(2) over eighteen years of age and incapable of
21 self-support because of physical or mental disability; or

22 “(3) over eighteen years of age and a student as
23 defined by section 8101 of title 5, United States Code.

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25 husband or wife living with or dependent for support on the

1 decedent at the time of his death, or living apart for reason-
2 able cause or because of desertion by the decedent.

3 “(d) As used in this section, the term ‘dependent for
4 support’ means more than one-half of the support of the
5 dependent concerned.

6 “(e) As used in this section, the term ‘law enforcement
7 officer’ means a person engaged in any activity pertaining to
8 crime prevention, control, or reduction or the enforcement
9 of the criminal law, including, but not limited to police
10 efforts to prevent, control, or reduce crime or to apprehend
11 criminals; activities of corrections, probation, or parole au-
12 thorities; and programs relating to the prevention, control,
13 or reduction of juvenile delinquency or narcotic addiction.

14 “(f) As used in this section, the term ‘crime’ means any
15 act or omission which is declared by law to be a crime in the
16 jurisdiction where the injury to the public safety officer
17 occurred. Such an act is a crime for the purposes of this sec-
18 tion notwithstanding the guilt, innocence, disability, or
19 identity of the actor.

20 “(g) As used in this section, the term ‘eligible public
21 safety officer’ means any individual serving, with or without
22 compensation, a public agency in an official capacity as a law
23 enforcement officer, or as a fireman (including any individual
24 serving as an officially recognized or designated member of
25 a legally organized volunteer fire department) who is deter-

1 mined by the Administration to have been, at the time of
2 his injury—

3 “(1) a law enforcement officer engaged in—

4 “(A) the apprehension or attempted appre-
5 hension of any person—

6 “(i) for the commission of a crime, or

7 “(ii) who at that time was sought as a
8 material witness in a criminal proceeding; or

9 “(B) protecting or guarding a person held for
10 the commission of a crime or held as a material wit-
11 ness in connection with a crime; or

12 “(C) (i) the lawful prevention of, or lawful
13 attempt to prevent, the commission of a crime; or

14 (ii) otherwise engaged in the performance of his
15 duty, where the activity is determined by the Ad-
16 ministration to be potentially dangerous to the law
17 enforcement officer; or

18 “(2) a fireman—

19 “(A) actually and directly engaged in fighting
20 a fire; or

21 “(B) otherwise engaged in the performance of
22 his duty where the activity is determined by the
23 Administration to be potentially dangerous to the
24 fireman.

25 “SEC. 702. (a) Whenever the Administration deter-

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 3 respect to which a benefit will probably be paid, the Admin-
 4 istration may make an interim benefit payment not exceeding
 5 \$3,000 to the person or persons entitled to receive a benefit
 6 under section 701 of this part.

7 “(b) The amount of any interim benefit paid under
 8 subsection (a) of this section shall be deducted from the
 9 amount of any final benefit paid to such person or persons.

10 “(c) Where there is no final benefit paid, the recipient
 11 of any interim benefit paid under subsection (a) of this sec-
 12 tion shall be liable for repayment of such amount. The
 13 Administration may waive all or part of such repayment,
 14 and shall consider for this purpose the hardship which would
 15 result from repayment.

16 “SEC. 703. (a) No benefit shall be paid under this
 17 part—

18 “(1) if the death was caused by the intentional mis-
 19 conduct of the public safety officer or by such officer's
 20 intention to bring about his death;

21 “(2) if voluntary intoxication of the public safety
 22 officer was the proximate cause of such officer's death; or

23 “(3) to any person who would otherwise be entitled
 24 to a benefit under this part if such person's actions were

1 a substantial contributing factor to the death of the public
2 safety officer.

3 “(b) The benefit payable under this part shall be in
4 addition to any other benefit that may be due from any other
5 source, but shall be reduced by—

6 “(1) payments authorized by section 8191 of title
7 5, United States Code;

8 “(2) payments authorized by section 12 (k) of the
9 Act of September 1, 1916, as amended (D.C. Code, sec.
10 4-531 (1)).

11 “(c) No benefit paid under this part shall be subject to
12 execution or attachment.

13 “SEC. 704. The provisions of this part shall apply with
14 respect to any eligible public safety officer who dies as the
15 direct and proximate result of a personal injury which is sus-
16 tained on or after October 11, 1972.”.

17 SEC. 3. Section 520 of the Omnibus Crime Control and
18 Safe Streets Act of 1968, as amended, is amended by insert-
19 ing “(a)” immediately after “520” and by adding at the
20 end thereof the following new subsection:

21 “(b) There are authorized to be appropriated in each
22 fiscal year such sums as may be necessary to carry out the
23 purposes of part J.”.

24 SEC. 4. Until specific appropriations are made for carry-
25 ing out the purposes of this Act, any appropriation made to

1 the Department of Justice or the Law Enforcement Assist-
2 ance Administration for grants, activities, or contracts shall,
3 in the discretion of the Attorney General, be available for
4 payments of obligations arising under this Act.

5 SEC. 5. The Administration is authorized to establish
6 such rules, regulations, and procedures as may be neces-
7 sary to carry out the purposes of this part J. Such rules,
8 regulations, and procedures will be determinative of con-
9 flict of laws issues arising under this part J.

10 SEC. 6. The Administration may prescribe rules and
11 regulations governing the recognition of agents or other
12 persons, representing claimants before the Administration.
13 The Administration may, by rule and regulation, prescribe
14 the maximum fees which may be charged for services per-
15 formed in connection with any claim before the administra-
16 tion of this part, and any agreement in violation of such rules
17 and regulations shall be void.

18 SEC. 7. In making determinations under section 701,
19 the Administration may delegate such administrative func-
20 tions to State and local agencies as it determines necessary
21 and proper to the administration of this part. Responsibility
22 for making final determinations would rest with the
23 Administration.

24 SEC. 8. If the provisions of any part of this Act are
25 found invalid or any amendments made thereby or the appli-

- 1 cation thereof to any person or circumstances be held invalid,
- 2 the provisions of the other parts and their application to
- 3 other persons or circumstances shall not be affected thereby.

Mr. EILBERG. It is extremely unfortunate, tragic in fact, that these hearings are necessary. This legislation was close to enactment in both the 92d and 93d Congresses, but I regret to say that for several reasons this legislation did not reach the President's desk in either of those Congresses. These reasons are well known and I do not intend to take the time of the subcommittee to recite the previous history of this legislation.

At any rate, this legislation is certainly not new to the subcommittee, and we have carefully considered the various issues associated with these bills during numerous hearings and markup sessions.

As my colleagues are aware, I have strongly supported these proposals in earlier Congresses, and they will continue to receive my support. Both Houses of Congress on several occasions have overwhelmingly approved various versions of this legislation, and I believe this is a clear mandate to this subcommittee to make every effort to insure its enactment.

The information presented to this committee during its detailed consideration of this matter clearly indicates that the perils of police work and of firefighting have increased continuously over the years. It is my firm belief that public safety officers who have given their lives to protect our property and personal safety are deserving of our support. Certainly, the Federal Government has a legitimate interest in preserving our public safety; and it is most appropriate that the Federal Government recognize in a practical manner the debt that is owed to those who are charged with the responsibility of preserving peace and order in our society.

In my own city of Philadelphia a recent tragedy occurred which took the lives of eight dedicated firemen who were attempting to put out a fire in a Gulf refinery. There were 21 children involved. Some of these firemen had large families, and the death of the breadwinner will certainly place financial strains on their survivors. Passage of this legislation is designed to provide some measure of protection for the loved ones of deceased public safety officers and will alleviate some of the initial financial hardships that they will encounter during this difficult adjustment. The legislation will also serve to express our appreciation for the work performed by public safety officers as well as our concern for the families of those officers who are struck down in the line of duty.

I am most hopeful that this legislation will be quickly enacted during this Congress, and I am sure that these hearings will assist us in achieving that objective.

Mr. Fish?

Mr. FISH. Thank you, Mr. Chairman.

At the outset, let me thank you and the chairman of the full Committee for bringing this legislation before us.

Mr. Chairman, in the last session of Congress, the House of Representatives passed legislation to provide \$50,000 to survivors of public safety officers killed in the line of duty. Unfortunately, the Senate and House were not able to reconcile their differences in formulating a final version of the bill.

This year, this House subcommittee is once again considering several bills to provide much-needed benefits to surviving dependents of public safety officers who give their lives for the public well-being.

The need for this legislation is clear. Over 200 policemen and firemen, most of them with families, are killed each year in this country while performing their duties. Presently, the survivors of public safety officers must rely on a patchwork system of indemnification consisting of life insurance whose premiums are quite often too high for the policeman or fireman to afford, and voluntary contributions by local citizens to a support fund.

The risks taken by public safety officers, and the sacrifices made by their families are too great for us to allow the possibility of financial disaster to be an added burden to a widow and children of a dead officer.

In this time of rising crime, many police departments which are operating below strength may now be able to attract highly qualified personnel who, because of concern for the financial security of their loved ones, have refrained from joining local police forces. There is no doubt that in many areas in the country inadequate compensation for the risks taken has been the primary reason for the difficulty in recruiting public safety officers.

All too often, we take the public safety officer for granted. The policeman or fireman many times performs heroic acts without being thanked. It is time that we put the services these people perform in perspective, and realize the tremendous risks that are involved, especially financially for their families.

Thank you very much, Mr. Chairman.

Mr. EILBERG. Thank you, Mr. Fish.

TESTIMONY OF HUGH M. DURHAM, LEGISLATIVE COUNSEL, OFFICE OF LEGISLATIVE AFFAIRS, U.S. DEPARTMENT OF JUSTICE

Mr. DURHAM. Thank you, Mr. Chairman.

Mr. Chairman, I am pleased to appear today before the subcommittee to discuss the views of the Department of Justice regarding H.R. 365, H.R. 366, and H.R. 3544, public safety officer death benefits legislation.

The three bills are all quite similar, in that a \$50,000 gratuity would be paid to the surviving dependents of public safety officers found to have "died as the direct and proximate result of a personal injury sustained in the performance of duty." H.R. 365 would apply only to firefighters so killed, while H.R. 366 would apply only to law enforcement officers. H.R. 3544 would apply both to firefighters and law enforcement officers. Each bill would amend title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, so that the program would be administered by the Law Enforcement Assistance Administration.

To be eligible, a law enforcement officer must, at the time of injury, have been engaged in the apprehension, attempted apprehension, protection, or guarding of a person wanted or held for the commission of a crime, or as a material witness, or in the prevention or attempted prevention of a crime. A firefighter must have been actually and directly engaged in fighting a fire. Provision is also made in each instance for

eligibility if the decedent was otherwise engaged in the performance of duty where the activity is determined to be potentially dangerous.

The terms "crime," "law enforcement officer," "firefighter," and "dependent for support" are further clarified in the legislation. No benefit would be paid if death was caused by the intentional misconduct of the decedent or intention to bring about his own death, if voluntary intoxication of the decedent was the proximate cause of death, or if the actions of any person who would otherwise be entitled to a benefit were a substantial contributing factor to death.

The provisions of each of the bills would apply with respect to any eligible public safety officer who dies as the direct and proximate result of a personal injury sustained on or after October 11, 1972. Such sums as necessary would be authorized to be appropriated for the program, with Department of Justice and Law Enforcement Assistance Administration appropriations available until necessary funds were provided.

These three bills are, as you know, Mr. Chairman, just a few of the pieces of legislation introduced in the 94th Congress which have similar goals. Legislation which would accomplish essentially the same purpose was passed by both Houses in the 92d and 93d Congresses, but for a number of reasons did not get enacted into law.

As you know, Mr. Chairman, during the 92d and 93d Congresses the Department of Justice supported a legislative proposal which would provide death benefits to survivors of public safety officers. Assistant Attorney General McKeivitt testified before this subcommittee on July 26, 1973, on this subject. The program which we have proposed and supported differs, however, in several substantial and important respects from the proposals before you today.

First: We would require that the death benefits be available only to survivors of eligible officers who died as a result of a criminal act. We believe that the much broader coverage included in H.R. 365 and H.R. 366 is not justified by the Federal interest or involvement.

As you know, Mr. Chairman, the earlier proposals for a Federal death gratuity program were a partial answer to the shocking wave of police killings in the spring of 1971, and of the fact that some police officers were inadequately covered by job-related benefits. We believe, and we have stated this position previously, that expansion to cover all job-related deaths would start the Federal Government down a road that is unwarranted and undesirable, in addition to placing upon the Federal Government a further substantial and costly Federal benefit program.

To reiterate, we believe that the proposal should be designed to deal solely with the slaying of eligible officers and not with accidental deaths. As we indicated in prior testimony before the subcommittee, we believe that accidental death is a hazard of many types of employment and we are aware of no rationale that would suggest Federal intervention in these situations.

Providing survivors benefits for those who are killed accidentally should be the responsibility of the employer in the same manner as other employment benefits. The murdering of public safety officers, however, is an act which attacks the very essence of a stable society and puts in jeopardy the well being of our country. For this reason we have supported Federal assistance in these limited instances.

Second: We believe that the provision should apply prospectively only. The three measures previously described would all apply to injuries sustained since October 11, 1972. We believe that when new benefits are created by statute, they should only apply prospectively unless there is a compelling public policy reason for determining a date for retroactive application. We feel that the choice of any retroactive date in this matter would be arbitrary and that prospective application is a fair resolution of the problem.

In this connection, in August 1974, in anticipation of passage of H.R. 11321 of the 93d Congress, the Law Enforcement Assistance Administration developed a cost analysis of the proposal. At that time, retroactive benefits would have cost the Federal Government \$32.3 million. Today that one-time expense, providing retroactive benefits for both law enforcement officers and firefighters, would exceed \$50 million.

I have outlined the major differences between the proposals before you and the measure which we have supported. We would still support a measure that conformed substantially with these views. I would like, however, to outline to you a course of action which we think would be a preferable answer to the problem.

The President in his recent crime message to the Congress specifically endorsed a program which would provide benefits very comparable in magnitude to those included in the police officers death gratuity proposal. The President's program would extend to all victims of Federal crime. Specifically, he stated:

In addition to this general effort to reform and improve the criminal justice system, the Federal law should be specifically revised to take into greater account the needs of victims of crime. They, as well as the general public, must be made aware that the government will not neglect the law-abiding citizens whose cooperation and efforts are crucial to the effectiveness of law enforcement.

I urge the Congress to pass legislation to meet the uncompensated economic losses of victims of Federal crimes who suffer personal injury. In order to promote the concept of restitution within the criminal law, the monetary benefits should come from a fund consisting of fines paid by convicted Federal offenders.

Provisions which would implement the President's recommendations are currently contained in the pending proposed Criminal Justice Reform Act—S. 1 and H.R. 3907. These provisions would provide benefits of up to \$50,000 for survivors of victims of specified Federal criminal violations. Public service officers are not barred from qualifying as beneficiaries under this proposal. Moreover, we would support a modification to the Law Enforcement Assistance Administration's authority, i.e., title I of the Safe Streets Act, so that States could utilize block grant funds to finance a State program of death benefits for State and local law enforcement officials.

In summary, we would support a public safety officers benefits program consistent with the program which we have supported in the 93d Congress. I have pointed out today the major differences between the program we would support and the provisions of the pending bills. We would, however, prefer the more encompassing approach which I have suggested today through the provisions of S. 1 and under LEAA.

I thank you for the opportunity of presenting the Department's views on this important matter and will be happy to try to answer any questions which you may have.

Thank you, Mr. Chairman.

[The prepared statement of Hugh M. Durham follows:]

STATEMENT OF HUGH M. DURHAM, LEGISLATIVE COUNSEL, OFFICE OF LEGISLATIVE AFFAIRS

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The terms "crime," "law enforcement officer," "firefighter," and "dependent for support" are further clarified in the legislation. No benefit would be paid if death was caused by the intentional misconduct of the decedent or intention to bring about his own death, if voluntary intoxication of the decedent was the proximate cause of death, or if the actions of any person who would otherwise be entitled to a benefit were a substantial contributing factor to death.

The provisions of each of the bills would apply with respect to any eligible public safety officer who dies as the direct and proximate result of a personal injury sustained on or after October 11, 1972. Such sums as necessary would be authorized to be appropriated for the program, with Department of Justice and Law Enforcement Assistance Administration appropriations available until necessary funds were provided.

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To reiterate, we believe that the proposal should be designed to deal solely with the slaying of eligible officers and not with accidental deaths. As we indicated in prior testimony before the subcommittee, we believe that accidental death is a hazard of many types of employment and we are aware of no rationale that would suggest federal intervention in these situations. Providing survivors benefits for those who are killed accidentally should be the responsibility of the employer in the same manner as other employment benefits. The murdering of public safety officers, however, is an act which attacks the very essence of a stable society and puts in jeopardy the well being of our country. For this reason we have supported Federal assistance in these limited instances.

Secondly, we believe that the provision should apply prospectively only. The three measures previously described would all apply to injuries sustained since

October 11, 1972. We believe that when new benefits are created by statute they should only apply prospectively unless there is a compelling public policy reason for determining a date for retroactive application. We feel that the choice of any retroactive date in this matter would be arbitrary and that prospective application is a fair resolution of the problem. In this connection, in August, 1974, in anticipation of passage of H.R. 11321, 93d Congress, LEAA developed a cost analysis of the proposal. At that time, retroactive benefits would have cost the federal government \$32.3 million. Today that one time expense, providing retroactive benefits for both law enforcement officers and firefighters, would exceed \$50 million.

I have outlined the major differences between the proposals before you and the measure which we have supported. We would still support a measure that conformed substantially with these views. I would like, however, to outline to you a course of action which we think would be a preferable answer to the problem.

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"In addition to this general effort to reform and improve the criminal justice system, the Federal law should be specifically revised to take into greater account the needs of victims of crime. They, as well as the general public, must be made aware that the government will not neglect the law-abiding citizens whose cooperation and efforts are crucial to the effectiveness of law enforcement.

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In summary, we would support a public safety officers benefits program consistent with the program which we have supported in the 93d Congress. I have pointed out today the major differences between the program we would support and the provisions of the pending bills. We would, however, prefer the more encompassing approach which I have suggested today through the provisions of S. 1 and under LEAA.

I thank you for the opportunity of presenting the Department's views on this important matter and will be happy to try to answer any questions which you may have.

COMPARATIVE COST ANALYSIS, LIMITED AND BROAD COVERAGE VERSIONS OF PUBLIC SAFETY OFFICER DEATH BENEFITS LEGISLATION, U.S. DEPARTMENT OF JUSTICE, OCTOBER 1975

Public safety officer death benefits bills currently pending before the Congress all contain a provision allowing the promulgation of regulations by the administering agency. Such regulations would serve as guidelines and clarify, where necessary, the statutory language. In interpreting the law, it is possible that the regulations could also serve to expand or limit the eligibility of certain survivors for benefits.

In assembling the data which follows, care was taken to assure as full compliance with Congressional intent as possible. However, since the legislation contains certain ambiguities and some unclear expressions, the cost estimates provided could subsequently be subject to revision in light of administrative interpretation.

The cost analyses were made as complete as available data permitted. Information on public safety officer and firefighter deaths was collected from numerous sources. Some estimates were of necessity made, and it is possible that additional sources of information will come to light if the legislation is enacted. Thus, cost estimates may be the subject of further revision.

Data sources used in compiling the cost analyses include the following:
 Federal Bureau of Investigation Uniform Crime Reports.
 International Association of Fire Fighters.
 National Fire Protection Association.
 American Corrections Association.
 Telephone Communications with Fire Marshals in All States.
 Telephone Communications with Officials in All States Regarding Corrections Officer Deaths.
 Stanford Research Institute Report on Violence Problems Affecting Fire Departments (1972).

SIGNIFICANT DIFFERENCES IN LIMITED AND BROAD COVERAGE VERSIONS OF PUBLIC SAFETY OFFICERS DEATH BENEFITS LEGISLATION AFFECTING ELIGIBILITY

Subject matter	Limited coverage	Broad coverage
Circumstances of death.....	Killed in the line of duty and the direct and proximate cause of such death was a criminal act or an apparent criminal act.	Officer has died as the direct and proximate result of a personal injury sustained in the performance of duty.
Eligible officers.....	Serves a public agency, with or without compensation, as a law enforcement officer (including a corrections or court officer) or a firefighter.	Serves, with or without compensation, a public agency in an official capacity as a law enforcement officer, or as a firefighter (including a member of a legally organized volunteer fire department.) Law enforcement officer includes police, corrections, probation, parole authorities, and juvenile and narcotics officers.
Nature of duty engaged in at death.	Apprehension, or attempted apprehension of a person (1) for the commission of a crime or (2) who is sought as a material witness; lawful prevention or attempted prevention of a crime; as the direct result of a criminal act.	Apprehension or attempted apprehension of a person (1) for the commission of a crime or (2) who is sought as a material witness; protecting or guarding the same; lawful prevention, or attempted prevention of a crime; actually and directly involved in fighting a fire; or any activity potentially dangerous to the officer. (Some include performing official duty or merely line of duty.)
Definition of crime or criminal act.	Criminal act means any crime, including an act, omission, or possession under the laws of the United States or a State or unit of general local government, which poses a substantial threat of personal injury, notwithstanding the fact that the person was legally incapable of committing a crime.	Crime means any act or omission which is declared by law to be a crime in the jurisdiction where the injury occurred. Such an act is a crime for the purpose of the section notwithstanding the guilt, innocence, disability, or identity of the actor.
Effective date.....	Effective upon enactment and would operate prospectively only.	Benefit could go to the survivors of an eligible officer who died as the result of an injury occurred on or after Oct. 12, 1972

TABLE A.—ESTIMATED COSTS OF PUBLIC SAFETY OFFICER DEATH BENEFITS LEGISLATION WITH LIMITED COVERAGE ¹

Public safety officer class	1972 base year deaths	Number of retroactive deaths (calendar year)			Retroactive benefits		Projected annual costs, calendar year 1976 and following	
		1972, 4th quarter	1973	1974 approximate	Number	Amount (millions)	Number	Amount (millions)
Total.....	298	41	180	178	180	579	195	\$9.75
Police officers.....	112	31	² 127	² 128	128	414	125	6.25
Firefighters (paid).....	³ 148	8	⁴ 32	⁴ 32	32	104	45	2.25
Firefighters (volunteer).....	30	2	⁴ 6	⁴ 6	6	20	10	.50
Corrections officers.....	8	⁵ 15	⁵ 12	14	41	15	.75

¹ If provision permitting benefits retroactive to October 1972 is deleted, only projected annual costs would apply.

² FBI, uniform crime reports.

³ Includes all performance of duty deaths.

⁴ Estimate derived from base year data on arson and fires of suspicious origins (22 percent of base year deaths.)

⁵ Deaths reported to LEAA.

⁶ Estimate derived from previous year data.

TABLE B.—ESTIMATED COSTS OF PUBLIC SAFETY OFFICER DEATH BENEFITS LEGISLATION WITH BROAD COVERAGE ¹

Public safety officer class (causes of death)	Number of retroactive deaths (calendar year)				Retroactive benefits		Projected annual costs, calendar year 1976 and following	
	1972, 4th qtr.	1973	1974	1975, Ap- proximate	Amount Number (millions)		Amount Number (millions)	
Total.....	91	364	390	392	1,237	\$61.85	386	\$19.3
Police.....	44	171	200	200	615	30.75	191	9.55
Felonious ²	31	127	128	128	414	20.7	125	6.25
Other criminal acts ³	5	14	42	42	103	5.15	36	1.8
Other line of duty deaths ⁴	8	30	30	30	98	4.9	30	1.5
Firefighters (paid).....	39	148	148	148	483	24.15	150	7.5
Arson ⁵	8	32	32	32	104	5.2	40	2.0
Other criminal acts ⁶	13	50	52	52	167	8.35	50	2.5
Other line of duty deaths ⁴	18	66	64	64	212	10.6	60	3.0
Firefighters (volunteer).....	8	30	30	30	98	4.9	30	1.5
Arson ⁵	2	6	8	8	24	1.2	8	.4
Other criminal acts ⁶	3	11	10	10	34	1.7	11	.55
Other line of duty deaths ⁴	3	13	12	12	40	2.0	11	.55
Corrections officers.....		15	12	14	41	2.05	15	.75
Felonious ⁶		15	12	14	41	2.05	15	.75
Other deaths ⁷								

¹ If provision permitting benefits retroactive to October 1972 is deleted, only projected annual costs would apply.

² FBI, uniform crime reports.

³ Estimate of annual deaths associated with crimes other than felonious.

⁴ Estimate of deaths due to other hazardous duty (no crimes involved).

⁵ Arson and other criminal acts deaths derived from National Fire Protection Association sample of firefighters and Stanford Research Institute data.

⁶ Information obtained from American Corrections Association and State survey.

⁷ Information or estimates not available.

Note: If the intent of the legislation is to cover deaths from occupational illnesses and diseases, added costs are estimated at \$100,000,000 in retroactive benefits and \$31,000,000 annually thereafter.

Mr. EILBERG. Thank you, Mr. Durham, for a very fine statement.

We have some questions for you.

Can you tell us what benefits are currently provided by State and local governments, in terms of lump sum death benefits, life insurance, employees' compensation?

Mr. DURHAM. Mr. Chairman, it is my understanding that they vary extremely widely. In discussing with the committee counsel yesterday afternoon the possible questions, he indicated that maybe if I could get one State as an illustrative point it might be helpful to the committee. I had LEAA contact Pennsylvania, your home State.

It was my understanding from the information I got yesterday that Philadelphia itself has a very generous program for the police survivors of the Philadelphia police force. It amounts to approximately 70 percent of their pay, which, with tax benefits, brings it up essentially to almost full pay, plus a scholarship program for survivors, and so forth, which makes it an extremely generous and adequate compensation.

But the State as a whole, the various municipalities, small places, and so forth, have varying amounts. It is likely that many of these are inadequate. There is a provision, I am told, in Pennsylvania State law that if a locality does not provide comparable insurance or other benefits, the survivors come under the State workmen's compensation, which I am told is \$100 per week for a certain period of time. I think

it is 3 or 4 years. It is certainly a step in the right direction, but it is not comparable either to the Philadelphia program or to some other programs.

So, in summary, the variation across the country is manifold. The real problem, as I see it, arises from the fact that you have a fragmented police authority across the country. I remember one survey a few years ago in the greater St. Louis area, there were some 90-odd different police agencies in the greater St. Louis area. I think over 90 percent of policemen who were covered were in St. Louis proper, but in the other 10 percent, you had some 80 or 85 or 89 different hamlets, 5 police in this hamlet, 10 police in another and so forth. Those are the ones that really lack coverage and suffer.

Mr. EILBERG. Are you in a position, then, Mr. Durham, your Department, in getting us a breakdown of the national situation?

It would be helpful to this subcommittee and to the Congress if we had that information.

Mr. DURHAM. I will certainly undertake to obtain all the information we can. Whether it can be 100 percent or 90 percent inclusive, I could not predict. We will go to work and see what we can come up with.

Mr. EILBERG. Will you do that?

Mr. DURHAM. We will do it.

[See appendix 2 at p. 130 for "Analysis of Workmen's Compensation Laws"; see appendix 4 for amounts of life insurance provided to firemen in various cities; and see appendix 3 for amounts of life insurance provided to policemen.]

Mr. EILBERG. In your opinion, should Federal law enforcement officials be covered by this legislation?

Mr. DURHAM. In our proposals, we have covered Federal law enforcement officials. We would support this coverage for Federal officers.

Mr. EILBERG. Federal law enforcement officers are presently covered by the Federal Employees Compensation Act. So my question is, would you also include benefits for them under this legislation?

Mr. DURHAM. We have in the past, and we continue to support that coverage.

Mr. EILBERG. Mr. Durham, it is my understanding that benefits vary depending on the condition of the family of the deceased Federal law enforcement officer, but that it is not unusual for that family to, within reasonable time, receive benefits in excess of \$50,000.

The question I am really asking you is whether it is necessary to include Federal law enforcement officers if they are getting substantial benefits at the present time?

I would ask you, if you would, to compare the benefits of Federal law enforcement officers and tell us what benefits they get precisely, so that we are not adding on unnecessarily. We did not do so in the last two Congresses because we felt in a great many cases the families would receive a substantial amount, if not more than \$50,000. So I wonder if you would examine that problem and report to us on that.

Mr. DURHAM. I would be glad to.

[The following statutory provision sets forth the benefits of the Federal Employees Compensation Act:]

TITLE 5.—GOVERNMENT ORGANIZATION AND EMPLOYEES

SECTION 8133. COMPENSATION IN CASE OF DEATH

(a) If death results from an injury sustained in the performance of duty, the United States shall pay a monthly compensation equal to a percentage of the monthly pay of the deceased employee in accordance with the following schedule:

(1) To the widow or widower, if there is no child, 45 percent.
 (2) To the widow or widower, if there is a child, 40 percent and in addition 15 percent for each child not to exceed a total of 75 percent for the widow or widower and children.

(3) To the children, if there is no widow or widower, 35 percent for one child and 15 percent additional for each additional child not to exceed a total of 75 percent, divided among the children share and share alike.

(4) To the parents, if there is no widow, widower, or child, as follows—

(A) 25 percent if one parent was wholly dependent on the employee at the time of death and the other was not dependent to any extent;

(B) 20 percent to each if both were wholly dependent; or

(C) a proportionate amount in the discretion of the Secretary of Labor if one or both were partly dependent.

If there is a widow, widower, or child, so much of the percentages are payable as, when added to the total percentages payable to the widow, widower, and children, will not exceed a total of 75 percent.

(5) To the brothers, sisters, grandparents, and grandchildren, if there is no widow, widower, child, or dependent parent, as follows—

(A) 20 percent if one was wholly dependent on the employee at the time of death;

(B) 30 percent if more than one was wholly dependent, divided among the dependents share and share alike; or

(C) 10 percent if no one is wholly dependent but one or more is partly dependent, divided among the dependents share and share alike.

If there is a widow, widower, child, or dependent parent, so much of the percentages are payable as, when added to the total percentages payable to the widow, widower, children, and dependent parents, will not exceed a total of 75 percent.

(b) The compensation payable under subsection (a) of this section is paid from the time of death until—

(1) a widow dies or remarries;

(2) a widower dies or remarries or becomes capable of self-support;

(3) a child, a brother, a sister, or a grandchild dies or marries or becomes 18 years of age, or if over age 18 and incapable of self-support becomes capable of self-support; or

(4) a parent or grandparent dies or marries or ceases to be dependent.

Notwithstanding paragraph (3) of this subsection, compensation payable to or for a child, a brother or sister, or a grandparent that would otherwise end because the child, brother or sister, or grandchild has reached 18 years of age shall continue if he is a student as defined by section 8101 of this title at the time he reaches 18 years of age for so long as he continues to be such a student or until he marries.

(c) On the cessation of compensation under this section to or on account of an individual, the compensation of the remaining individuals entitled to compensation for the unexpired part of the period during which their compensation is payable, is that which they would have received if they had been the only individuals entitled to compensation at the time of the death of the employee.

(d) When there are two or more classes of individuals entitled to compensation under this section and the apportionment of compensation under this section would result in injustice, the Secretary may modify the apportionment to meet the requirements of the case.

(e) In computing compensation under this section, the monthly pay is deemed not less than the minimum rate of basic pay for GS-2. However, the total monthly compensation may not exceed—

(1) the monthly pay computed under section 8114 of this title; or

(2) 75 percent of the monthly pay of the maximum rate of basic pay for GS-15.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 547; Pub. L. 90-83, § 1(62), Sept. 11, 1967, 81 Stat. 211.)

Mr. EILBERG. If, as you suggest, the benefits should be limited to deaths resulting from criminal acts or apparent criminal action, where does this leave the firemen?

Mr. DURHAM. We would suggest that they get the same benefits.

Now, back in, I recall, the riots of 1968 there were numerous instances where firemen were shot at when they went into the riot area to try to put out the fire. There had been instances——

Mr. EILBERG. Mr. Durham, we know firemen that are involved in deaths caused by arson or deaths caused by sniper fire would clearly be covered that way. But we know also from previous experience of this subcommittee that those numbers are negligible. We are talking about the great bulk of firemen who die.

I wonder what your attitude is?

Mr. DURHAM. Our position has consistently been, Mr. Chairman, that accidental deaths, such as deaths of firemen in fighting a normal fire and so forth, should be covered by employment benefits of the employer. To include firemen for accidental deaths, we see no real rationale for including them and excluding sanitation workers who get caught in workings of their machines or anybody else who is subject to accidental death.

Mr. DODD. Would you please describe for me what a normal fire is?

Mr. DURHAM. A typical fire, I suppose, is a building on fire, and the firemen go to put it out. I realize it varies from fire to fire, and there are circumstances that make certain fires more dangerous than others. Certainly, the size of the building burning and so forth: I would imagine city fires by and large are more dangerous, because they can be the larger buildings.

Mr. DODD. I just wanted to get to the point. You are talking about normal fires. If someone dies while trying to put out a fire, whether it is normal or abnormal seems to me a little vague, what you are trying to get at.

I do not want to belabor the point, but I would like to see a fireman try to describe what a normal fire is. When they have to go in and fight them, whether they are normal or abnormal, it is dangerous.

Mr. DURHAM. There is no question about that.

Mr. EILBERG. By what reasoning do you call that accidental death? In support of Mr. Dodd's point, if a man is burned to death or dies as a result of a flaming building, do you still call that an accidental death, and therefore it should not be covered?

Is that what you believe?

Mr. DURHAM. We believe that the Federal interest or Federal involvement should be limited to a crime-induced death, because the genesis for the program and so forth has been——

Mr. EILBERG. We understand that. I just object very much to the use of the term "accidental death." I think it has no useful connotation at all with regard to this legislation, fighting fire and death as a result of activity, which, according to the bill, is determined by the administration to be potentially dangerous. The term "accidental death" has very little meaning to me or the members of this subcommittee.

That is my reaction.

But for a moment, accepting your position, the Department's position, on death by crime, Gulf Oil Co. in Philadelphia recently had a fire. According to the city solicitor, he said that the building

code or fire code was violated. There is some construction that was defective. I have not examined that provision in the local ordinance and do not know whether it amounts to a misdemeanor.

Suppose it amounts to a misdemeanor. Would you include those firemen who died as a result of a misdemeanor—the construction of this particular refinery?

Mr. DURHAM. That type of question, of course, would require legal research and so forth. My off-the-cuff opinion is that it would probably not be covered. Otherwise, I think you would, in effect, be reading a crime into every fire, because in almost every instance there is some violation of something.

Mr. EILBERG. Do you agree that the definition of crime should be determined by the local law, by local jurisdiction?

Who is going to determine whether an act involved was a crime or not?

Are you going to determine that, or is that going to be determined by LEAA, or is it going to be left to local authorities?

Mr. DURHAM. I would hope, Mr. Chairman, that LEAA as administrators of the program would make the determination, taking into account the legislative history of the proposal and what was intended and would administer the program in keeping with the intention of Congress.

Mr. EILBERG. I am going to yield to Mr. Dodd.

Mr. DODD. Thank you, Mr. Chairman.

Just touching on a point on which I asked the chairman to yield and he so gracefully did, with regard to the whole question of accidental death, unintentional death, in dealing with police and fire, I can appreciate what you are trying to say.

I would like to ask you just a basic—what I consider to be a fundamental question. Do you understand that the job of a fireman or a policeman is inherently dangerous?

Mr. DURHAM. Absolutely.

Mr. DODD. I have difficulty, looking at the bill—I would like, maybe if you have a copy of the bill in front of you—

Mr. DURHAM. Yes, I have one right here.

Mr. DODD. Looking at H.R. 366, on page 4, I wonder if you could just—at the top of page 4, where it talks about “at the time of his injury”—I am reading from the bottom of page 3—“at the time of of his injury engage in,” then it proceeds to enumerate the various activities under which a, in this case, a public safety officer would qualify for the benefits. It lists the four categories.

I wonder if you could cite for me, give me a good example under those four instances in which a person would not qualify for these benefits under your definition in any one of them.

Mr. DURHAM. Well, I would say if he were responding to a call, say, in a police car and was told something happened 10 blocks away, he was driving in a normal way, with no lights on and so forth, and he gets in an automobile accident, I do not see that that in and of itself would probably qualify for recovery.

I think you can think up many hypotheticals. I do not know all the details of the ways in which police have met accidental death while they were on duty. I am sure that a lot of them get run over walking across the street or directing traffic.

Mr. DODD. Shot at.

Mr. DURHAM. The ones that are shot at are covered; no problem.

Mr. DODD. My point is, we seem to be looking at it from two different views. I see the police officer or firefighter really, in terms of discussing this point to be acting in the line of duty. The police officer who is driving to the scene of an accident or when that particular car has been sent to a problem area, or a police officer who is walking down the street and someone takes a shot at him, or someone drives out of a blind area and runs into his car and hits him is in the line of duty, performing a service to protect people, and he is killed in the performance of that duty.

I just have a very difficult time appreciating the significance of your point that we should be splitting hairs, in a sense, between that case where someone shoots at someone and in the case where someone drives out and runs into his car where he is performing the same function in the normal course of his obligation.

Mr. DURHAM. In the case of the police officer, the distinction is more difficult. In the case of the fireman, it is a clear distinction.

In the case of the police officer, for instance, suppose a police officer, just on routine patrol, is riding around 20 miles an hour on patrol, and he is run into by somebody who runs a stop sign, just like I could be run into or you could be run into. We do not see that under those circumstances a police officer necessarily should get any particular benefits from the Federal Government.

Now, he certainly is entitled to job-related benefits in most cases.

Mr. DODD. That is all I have, Mr. Chairman.

Mr. EILBERG. Thank you.

Mr. Durham, what is the anticipated cost of this legislation for each year after enactment, if you know?

Mr. DURHAM. As to legislation, as proposed by the subcommittee, the only figures I have are the LEAA study, which indicated \$50 million program for the backdating, using the figures of approximately 200 per year; 200 times 50,000 would be about \$10 million a year. I think that is probably the ball park.

Again, it is hard to put a precise figure until we decide exactly who is included in the noncrime-related deaths.

Mr. EILBERG. So you are providing a ball park figure under criminal acts, under the concept you support, about \$10 million a year?

Mr. DURHAM. I think that would be generous. I think it probably would be less than that. I will get you this precise figure.

Mr. EILBERG. We would like to have it, if you could provide us with that, the cost of the proposals that we have before us and the cost of your proposal. We also would like to have the answer to the question of how much retroactivity would cost, if you can get that information.

Mr. DURHAM. All right.

I have that included in my statement. Our figures are approximately \$50 million as of the present time.

Mr. EILBERG. Now, I take it, then, that, from what you have said, you are talking about police officers.

Are there any other categories that you would include?

Mr. DURHAM. We would include public safety officers. In that we would include people involved in corrections, people involved in the

actual court proceedings, and so forth. In other words, people involved in the criminal justice process.

Mr. EILBERG. Would you include narcotics agents?

Mr. DURHAM. Yes, sir. They are law enforcement officers.

Mr. EILBERG. How about officers involved in the work of juvenile delinquency?

Mr. DURHAM. If they are part of the public service component of the political entity, yes.

Mr. EILBERG. What about judges?

Mr. DURHAM. Yes, sir.

Mr. EILBERG. Lawyers?

Mr. DURHAM. You are starting to get further and further away. I do not think lawyers would be included.

Mr. EILBERG. Stenographers, court stenographers?

Mr. DURHAM. No.

Mr. EILBERG. Bailiffs?

Mr. DURHAM. I would think the bailiffs, in connection with—in other words, the type of episode that happened out in California a few years back. I think that would be contemplated in the program.

Mr. EILBERG. Mr. Durham, do you believe the kind of legislation we are talking about, whether you accept the version that appears in the bills before us or whether you accept the criminal act concept, will aid in the recruitment quality of police officers?

Mr. DURHAM. I think it should be a factor. It is certainly not going to be the determining factor, but it is all part of the recognition of the importance of this type of work, an importance that Congress places on it and people place on it.

Mr. EILBERG. Will it increase morale?

Mr. DURHAM. I would think so, yes, sir.

Mr. EILBERG. Mr. Sarbanes.

Mr. SARBANES. Mr. Durham, I am not quite sure I follow your rationale with respect to this proposal. I take it on pages 5 and 6 that your preferred position is that the public safety officers be encompassed within the President's proposal and his crime message for victims of Federal crime. Is that right?

Mr. DURHAM. Yes, sir.

Mr. SARBANES. That is your preferred position?

Mr. DURHAM. Yes, sir.

Mr. SARBANES. Please go to page 5 of your statement. You state there, just before the quote, "the President's program would extend to all victims of Federal crime." I am impressed with the word "Federal." In the quote you also continue, "I urge the Congress"—this is the President talking now—"I urge the Congress to pass legislation to meet the uncompensated economic losses of victims of Federal crimes who suffer personal injury." You would place the public safety officer within that purview, is that right?

Mr. DURHAM. Well—

Mr. SARBANES. Suppose he is killed, not as a consequence of a Federal crime but of a State crime, he would not get any benefit, is that right?

Mr. DURHAM. We advocate, and I hope I have made it clear, that States adopt comparable programs for victims of State crimes, not just public service officers but all victims of State crimes, the same as

the President's program would compensate all victims of Federal crime, not just police officers, not just Federal police officers, and not just State police officers, but the man in the street who is a victim of a Federal crime, the man who is in a bank when a Federal bank robbery takes place.

Mr. SARBANES. Did you read the legislation that has been introduced, the measures which you criticize as containing that limitation?

Mr. DURHAM. The criticism we have of the measures introduced are two: one, the retroactivity, the other, the extension to recovery for other than a victim of a criminal act.

Mr. SARBANES. I want to take you a step further because, as I understand the measures that have been introduced, they would pay, if you were killed in the performance of duty—

Mr. DURHAM. That is right.

Mr. SARBANES [continuing]. Whether that performance of duty ran to a Federal crime or a State crime.

Mr. DURHAM. Well, they go even further than that.

Mr. SARBANES. I understand that.

I am not talking about that.

But, your preferred position would not extend protection to a public safety officer killed by a criminal act if the criminal act was criminal under State law rather than Federal law, is that correct?

Mr. DURHAM. You are correct. However, we advocate that States adopt, and I think quite a few of them have already adopted—

Mr. SARBANES. I want to be very clear that I understand what your position is. I want to go to page 5 of your statement. I would like to understand the course of action which you think would be a preferable answer to the problem. You then outline what I understand to be your preferred position. Leaving aside the question of accidental death, and I understand your point in that area. That was the exchange you had with Congressman Dodd. I do not really know how you are going to draw that distinction. I think you have a lot of problems with it. But let us leave it to one side.

Your preferred position under the proposal, the death gratuity proposal would extend to the victims of Federal crime, whether they are public safety officers or not, but they are victims of Federal crime; what about a safety officer who is killed in the performance of duty by a criminal act that is criminal under State law and not under Federal law? As I understand your preferred position, he would not be covered, is that correct?

Mr. DURHAM. Our preferred position is that victims of a Federal crime be paid by the Federal Government under this particular legislation; victims of State crime be paid under comparable State programs, and we also suggested here, at least to the extent—

Mr. SARBANES. I think we ought to get this out. Your preferred position is really an extraordinarily limited position, is it not?

Mr. DURHAM. Not at all.

Mr. SARBANES. It certainly is more limited than the legislation before the committee, not only with respect to accidental death as opposed to deaths that are the result of criminal acts, but it then subdivides criminal acts, really, into two categories, and provides payment if it is a Federal crime, but not payment if it is a State crime.

Is that correct?

Mr. DURHAM. No. We advocate that victims of crime be compensated. We advocate that the Federal Government compensate the victims of Federal crime. We would support and we advocate State compensation for victims of State crime.

Mr. SARBANES. Leaving aside the accidental deaths, are not most of the deaths in the line of duty of law enforcement officials from criminal acts, the result of State crimes and not Federal crimes?

Mr. DURHAM. Probably a large percentage of them, yes; though there are, as you probably know, the provisions of 5 U.S. Code 8191, which was enacted about, back in 1968, which provides a benefit for State officers killed in the enforcement of Federal law, has been very liberally interpreted, so that if the person, the perpetrator of the death, was wanted by the Federal Government on a felony warrant and so forth, it is considered the result of a Federal crime. The interpretation has been, I believe, pretty liberal. So the percentages are a little bit higher than you would otherwise anticipate.

Mr. EILBERG. Will the gentleman yield?

Mr. SARBANES. Yes.

Mr. EILBERG. Assuming, Mr. Sarbanes, on your approach, turn to page 6 of your statement, in your first paragraph, you say that the "States could utilize block grant funds to finance a State program of death benefits for State and local law enforcement officials." Is that what you are saying, that this should be the place or the only place that the Federal assistance would be received for the death of local police or fire officials?

Mr. DURHAM. Yes, sir.

Mr. EILBERG. And that there should be no separate \$50,000 benefit under the kind of legislation we are offering here?

Mr. DURHAM. No. We are talking about, essentially the same quantum of recovery. In other words, the President's program contemplates benefits up to \$50,000.

Mr. EILBERG. Would you agree there is a great deal of competition among those block grants for various purposes, and we have no assurance, the Congress would have no assurance, in any particular State that a preference or a priority would be placed upon the deaths of policemen or firemen?

Mr. DURHAM. Yes, sir.

Mr. EILBERG. Do you not think that is a weakness in your position?

Mr. DURHAM. It certainly is a problem.

Mr. EILBERG. Mr. Sarbanes?

Mr. SARBANES. Has the Department considered an approach which would make it a requirement of receiving LEAA funds, that State and local governments join with the Federal Government in establishing a comprehensive program of benefits, perhaps not only death but also injury? You might establish it on some kind of insurance principle, but in effect what you would be establishing would be a program that, in effect, assured to all public safety officers that the benefits would be paid. The distinctions you draw do not make sense. The essential premise, it would seem to me at the end of all of this, would be that these men and women perform an important function for the society, one that is under great stress and pressure. Therefore we need to provide for them and their families as a matter of public policy, and that the Department really ought to be taking this need into account. Developing a program that compels the State and local

governments in conjunction with the Federal Government to make such benefits available.

Under the system you are proposing, one surviving family is going to get \$50,000, and another family which is in roughly the same posture will not get a penny because it was a State crime and not a Federal crime. One fellow, if he is starting out to get somewhere and is 10 blocks away and runs into somebody at the street corner may not get anything. But if he is within a block of where the Federal crime is being committed and can somehow bring himself within the purview of the criminal act that is being committed yet his family is going to get the \$50,000. It has no logic to it.

Why do we not take as a premise that these people perform a very important social function. They are not being protected by a benefit plan adequately. The Federal Government has involved itself through the LEAA program. Just take that program another step, and in effect, establish comprehensive benefits, perhaps not only for death, but for injury as well.

Has the Department considered that?

Mr. DURHAM. We certainly have considered it, and I think we have encouraged States and localities to take appropriate action. As far as dictating to them, we have been very reluctant. In fact, I believe the Safe Streets Act itself has limitations in it in what we can command State and local governments to do with or about their police forces. We do not want to get into the position of dictating to States that they must do this or must not do that. I think that is the wrong road.

Mr. SARBANES. Do you think that it is really of no matter to the Federal Government, which is putting millions of dollars into the LEAA program, whether they establish a proper comprehensive benefit system for their people? You earlier, I understand, indicated that the type of program a State establishes with LEAA funds has a very important impact on morale.

Mr. DURHAM. I think it is very important that they have good programs, adequate programs. I think there is a difference between encouraging them to have adequate programs and giving them information on what an adequate program is and showing them what Philadelphia does as against what Podunk or somewhere else does, and show them. That is one of the big functions of LEAA, to get the word around, to get good programs, to get the States exposed to good programs. But as far as dictating, we do not take the position that that is one of our proper functions.

Mr. DODD. Mr. Chairman, I would like to pursue Mr. Sarbanes' initial question to you regarding public safety officers.

Your suggestion is that the States ought to come up with comparable plans to provide benefits to the dependents of those people who are killed where there is the performance of a criminal act.

Are you suggesting as well that a Federal officer, a Federal public safety officer who is killed, in your definition, in the performance of a criminal act that turns out to be a State crime would also be excluded from your plan?

Mr. DURHAM. Under the proposal which we backed in the last Congress, he would not be excluded. Under the proposal of the President, he would not be included if he were killed as the result of a State crime.

Mr. DODD. A Federal officer would not be?

Mr. DURHAM. That is right.

Mr. DODD. What about a State public safety officer who is killed in the performance of a Federal crime?

Mr. DURHAM. He would be covered under the President's proposal. Under the President's proposal, the test is not who is killed, but how he is killed; in other words, if he is killed as the result of a Federal crime, it does not make any difference whether he is a Federal law enforcement officer.

Mr. DODD. How does a public safety officer who is killed in the performance of a State crime get any compensation from a State if he is a Federal officer?

Mr. DURHAM. The Federal officer who is killed as the result of a State crime is going to get his own Federal Employees Compensation Act benefits and the Federal insurance—

Mr. DODD. But he would not qualify for this?

Mr. DURHAM. That is right.

Mr. SARBANES. You are not suggesting that the public safety enforcement officers, before they go in on a criminal situation, ought to make some determination of whether it is Federal or State, are you?

Mr. DURHAM. I am sorry?

Mr. SARBANES. Would not the prudent thing for the public safety officer to do before going into a criminal situation be to determine whether it is a Federal or State crime?

Under your suggestion, that certainly would be sort of the logical and prudent thing to do, would it not?

Mr. DURHAM. Not really, Mr. Congressman, there has to be a line drawn in almost any benefit program. People just on the other side of the line feel that the line should have been drawn differently. Take retroactivity—the selection of the date of October 11, 1972, has a certain obvious logic to it because of what happened on that day. But by the same token, somebody who was killed on the 10th is going to think this is not a very good, logical position. Why do we not go back to the first of October, and so forth and so on. Anyplace you draw the line, people are going to get hurt. I agree that you can think up hypotheticals under any of these proposals which would seem to create an illogical result.

Mr. SARBANES. You are drawing so many lines, you are obviously going to have to draw a time line because you are going to put in a program where you did not have one. So, you have a question of when does the program take effect. That is a question that always confronts us with any program that carries benefits with it. But beyond that, you are carving up the class of beneficiaries in such a way that this creates one illogicality upon another. Your own proposals do that. You really have come along with different propositions. As I understand it, on the one hand you say you have the same position you had before; but on the other hand you say really, your preferred position is the President's message, which is not identical with your prior position.

Mr. DURHAM. That is right. We indicated we would still support our prior position; but we indicated that if we had our choice, we would rather have this newer program. But either program would receive the support of the administration.

Mr. SARBANES. Thank you, Mr. Chairman.

Mr. EILBERG. Under the President's proposals and your comments following it, it seems to me that we are not getting to the problem that this subcommittee is trying to face at all.

First, I believe that the majority of Federal employees would already be covered adequately by the standards of the bills that we are considering under the Federal Employees Compensation Act. Second, I do not know the extent to which you personally follow the legislation, but S. 1 and H.R. 3907 are very extensive bills.

I am not a betting man, but I would like to suggest that these bills, which cover a wide range of subjects, will not be enacted in the 94th Congress. This Member is not content to wait even for the passage of that legislation, which would not answer everything, even the problem we are concerned with here.

Thank you.

Mr. DURHAM. I understand.

Mr. EILBERG. We have just two other witnesses. We would like to accommodate them if we can.

I would like to welcome Mr. Kenneth Lyons, president of the International Brotherhood of Police Officers. I understand he is accompanied by Alan Whitney, executive vice president, and Sgt. Steve Snyder of the Denver, Colo. Police Department.

TESTIMONY OF KENNETH T. LYONS, PRESIDENT, INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS, ACCOMPANIED BY ALAN WHITNEY, EXECUTIVE VICE PRESIDENT OF THE INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS; SGT. STEVE SNYDER, DENVER, COLO. POLICE DEPARTMENT; OFFICER LARRY SIMONS, PRESIDENT, IBPO LOCAL 442, WASHINGTON, D.C., METROPOLITAN POLICE DEPARTMENT; AND PFC. JIM TUCKER, PRESIDENT, IBPO LOCAL 498, MONTGOMERY COUNTY, MD. POLICE DEPARTMENT

Mr. EILBERG. It is a pleasure to see you again, Mr. Lyons. I know of the interest you have in this legislation and how we have worked together frequently. We are very pleased to have you here this morning.

Mr. LYONS. Thank you very much, Mr. Chairman.

I am accompanied by Mr. Alan Whitney, our executive vice president, and Sgt. Steve Snyder of the Denver Police Department.

Mr. EILBERG. Which is Mr. Whitney?

Mr. LYONS. Mr. Whitney [indicating] and Mr. Steve Snyder [indicating] of the Denver Police Department. Officer Larry Simons, president of the District of Columbia Police Department is sitting over here [indicating].

And Officer Jim Tucker, president of our local at Montgomery County Police Department. I might add too that Larry Simons is the president of the District of Columbia Police Department union here in Washington.

First, I want to thank the committee for allowing us to testify here today. I would like to point out that in an era which is marked more by indifference than attention to the individual needs of police officers and their families, it is refreshing and reassuring to witness the support evidenced by this subcommittee's past approval and present consideration of the legislative proposal now before you.

The purpose of this bill was described in a committee report dated March 21, 1974, as being, "in recognition of society's moral obligation to compensate the families of those individuals who daily risk their lives to preserve peace and to protect the lives and properties of others."

H.R. 366 would provide a Federal payment of \$50,000 to the survivors of public safety officers who died on or after October 11, 1972. It also would permit the immediate payment of an interim benefit of up to \$3,200 in cases where it appears probable that a final benefit will be awarded.

For the background of the subcommittee's members, I would like to briefly and quickly describe the history of our organization. The first local of the IBPO was formed in 1964 by the officers of the Cranston, R.I., Police Department. In 1968 the IBPO convention voted to affiliate with and become a division of the National Association of Government Employees.

Since that merger in 1968, the IBPO has grown rapidly and dramatically. Today, it is the Nation's largest bona fide police union, with more than 300 locals and 30,000 members. The IBPO represents police officers in departments both large and small, including, for example, the Washington, D.C., Metropolitan Police Department; Hartford, Conn.; Springfield, Mass.; Salt Lake City, Utah; Boise, Idaho; Santa Barbara, Calif.; Beaumont, Tex.; St. Augustine, Fla.; and many others throughout the United States.

Our objective is twofold: First, to enhance and protect the rights and benefits of our members through legislation and the collective bargaining process; and second, to promote a high degree of professionalism among law enforcement personnel.

We firmly believe that legislative approval and enactment of H.R. 366 will admirably serve both these objectives. We believe that the intention of the Congress to write this promise into law has been abundantly demonstrated and justifies prompt action toward that end.

Previous hearings have thoroughly examined both the premise and the application of this proposed legislation. In view of the lengthy record already compiled, I do not intend to go into great detail. However, I believe that several important points deserve restating and reemphasis.

Data derived from the Federal Bureau of Investigation's uniform crime reports show clearly that the problem which originally brought about introduction of this legislation in the 92d Congress has not abated in the least; law enforcement officers continue to die in the line of duty at a rate more than three times greater than in 1961.

The following table represents an updating of the table which appeared in the committee report, dated March 21, 1974, accompanying H.R. 11321. It reflects the number of law enforcement officers killed each year since 1961 as the result of felonious criminal action. You will note, in 1961 there were 37 police officers killed; in 1974, 132; in 1975 to date, 92.

Year:	Number killed
1961	37
1962	48
1963	55
1964	57
1965	53
1966	57
1967	76
1968	64
1969	86
1970	100
1971	126
1972	112
1973	131
1974	132
1975 (to September 18)	92

These statistics, dramatic as they are, do not even begin to convey the anguish and trauma visited upon the wives and children of the officers who have died bravely and violently in the service of our communities. Nor could numbers do any more than hint at the incalculable loss to our Nation and our society that their deaths represent; for, in truth, with each death of a police officer, we lose one of our best and our brightest.

In most jurisdictions of the country, the aftermath of the death of a police officer in the line of duty is not pleasant to contemplate. Oftentimes, it is a young widow and her young children who are suddenly and crushingly faced with the abrupt loss of a husband and father. Initially, this shock tends to obscure the realization of the long-term impact and its practical effects on the financial security and well-being of the family.

Only after the emotional period following the funeral passes does the widow come face to face with the despairing realization that she has been left without the means to cope with the financial needs of caring for, raising, and educating her children. The day-to-day problems which would have been difficult enough to deal with on the average police officer's salary are now compounded beyond any rational expectation of her ability to cope.

The overriding justification for enactment of H.R. 366 lies in the moral obligation that we as a Nation owe to the survivors of those public safety officers who have made the ultimate sacrifice of giving up their lives to protect our lives, our safety, and our property.

In a statement to this subcommittee in July 1973, Congressman Claude Pepper of Florida spoke meaningfully and with great wisdom of the high ideals and motivation of those who enter the field of law enforcement. He also explained, in the following words, why an attack on a police officer is an attack on us all:

It has been said that killing a policeman is a "plain and simple murder." But it is much more than that. When anyone consciously attacks a policeman, he is attacking both an important symbol of organized society and an indispensable element of an organized and viable society. He attacks our body of laws. He attacks our democracy. He attacks each of us in a very real way.

Parenthetically, I would like to note that most testimony on this matter in previous years has referred almost exclusively to policemen. However, since a year ago, we can no longer confine our concern to the men who have laid down their lives as police officers.

A year ago tomorrow, Washington, D.C., officer Gail Cobb became the first policewoman in the Nation to be killed in the line of duty when she died at the hands of a shotgun-wielding bandit. Gail was a member of the International Brotherhood of Police Officers, and all members of the IBPO will always honor her contribution and her unique place in the history of law enforcement.

Officer Cobb's death teaches us an important lesson: That the threat of violent death befalling a police officer cuts across all lines—age, sex, and race. She was a young black woman, but she died because she was an officer of the law.

Officer Cobb left a young son whose future is more certain, whose education is secure, because the Congress has provided for the payment of a grant of \$50,000 to the survivors of those District of Columbia metropolitan police officers who die in the line of duty. That, in addition to the \$10,000 benefit being held in trust from his mother's union insurance, helps to insure this child's security.

But what of the thousands of family members of other police officers in cities throughout the Nation? What is their security? What assurance do they have that their lives will not be irreparably disrupted by financial catastrophe if their father or mother, or husband or wife, fails to return from a tour of duty.

The Congress can provide this security and this assurance. We are confident the Congress will provide it. But it is important to us and our members and to all law enforcement officers that action be taken as soon as possible. The hope and expectation that it will be approved has sustained the survivors of numerous officers slain since October 11, 1972.

In closing, I wish to again thank you, Mr. Chairman, and the members of the subcommittee for your honest concern and your help in seeking enactment of this important bill.

Mr. EILBERG. Mr. Lyons, we will go and vote, take a brief recess, and be right back.

[The prepared statement of Kenneth T. Lyons follows:]

STATEMENT OF KENNETH T. LYONS, PRESIDENT, INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS

Mr. Chairman, members of the subcommittee: At the outset, I would like to express the thanks of the members of the International Brotherhood of Police to the members of the subcommittee for your unflagging care and concern for the welfare of the policemen and policewomen of our nation.

In an era which is marked more by indifference than attention to the individual needs of police officers and their families, it is refreshing and reassuring to witness the support evidenced by this subcommittee's past approval and present consideration of the legislative proposal now before you.

The purpose of this bill was described in a Committee Report dated March 21, 1974, as being "in recognition of society's moral obligation to compensate the families of those individuals who daily risk their lives to preserve peace and to protect the lives and properties of others. . . ."

H.R. 366 would provide a Federal payment of \$50,000 to the survivors of public safety officers who died on or after October 11, 1972. It also would permit the immediate payment of an interim benefit of up to \$3,000 in cases where it appears probable that a final benefit will be awarded.

For the background of the subcommittee's members, I would like to briefly and quickly describe the history of our organization. The first local of the IBPO was formed in 1964 by the officers of the Cranston, R.I. police department. In 1968, the IBPO convention voted to affiliate with and become a division of the National Association of Government Employees.

Since that merger in 1968, the IBPO has grown rapidly and dramatically. Today, it is the nation's largest bona fide police union, with more than 300 locals and 30,000 members. The IBPO represents police officers in departments both large and small, including, for example, the Washington, D.C., Metropolitan Police Department; Hartford, Conn.; Springfield, Mass.; Salt Lake City, Utah; Boise, Idaho; Santa Barbara, Calif.; Beaumont, Texas; Saint Augustine, Fla., and many others throughout the United States.

Our objective is two-fold: first, to enhance and protect the rights and benefits of our members through legislation and the collective bargaining process; and, secondly, to promote a high degree of professionalism among law enforcement personnel.

We firmly believe that legislative approval and enactment of H.R. 366 will admirably serve both these objectives. We believe that the intention of the Congress to write this promise into law has been abundantly demonstrated and justifies prompt action toward that end.

Previous hearings have thoroughly examined both the premise and the application of this proposed legislation. In view of the lengthy record already compiled, I do not intend to go into great detail. However, I believe that several important points deserve restating and reemphasis.

Data derived from the Federal Bureau of Investigation's Uniform Crime Reports show clearly that the problem which originally brought about introduction of this legislation in the 92d Congress has not abated in the least; law enforcement officers continue to die in the line of duty at a rate more than three times greater than in 1961.

The following table represents an updating of the table which appeared in the Committee Report, dated March 21, 1974, accompanying H.R. 11321. It reflects the numbers of law enforcement officers killed each year since 1961 as the result of felonious criminal action:

Year:	Number killed
1961.....	37
1962.....	48
1963.....	55
1964.....	57
1965.....	53
1966.....	57
1967.....	76
1968.....	64
1969.....	86
1970.....	100
1971.....	126
1972.....	112
1973.....	131
1974.....	132
1975 (to date).....	92

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In most jurisdictions of the country, the aftermath of the death of a police officer in the line of duty is not pleasant to contemplate. Oftentimes, it is a young widow and her young children who are suddenly and crushingly faced with the abrupt loss of a husband and father. Initially, this shock tends to obscure the realization of the long-term impact and its practical effects on the financial security and well-being of the family.

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The over-riding justification for enactment of H.R. 366 lies in the moral obligation that we as a nation owe to the survivors of those public safety officers who have made the ultimate sacrifice of giving up their lives to protect our lives, our safety and our property.

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In closing, I wish to again thank you, Mr. Chairman, and the members of the Subcommittee for your honest concern and your help in seeking enactment of this important bill.

[A brief recess was taken.]

Mr. EILBERG. The subcommittee will resume. The House is in the 5-minute rule. Normally, the committees may not meet during the 5-minute rule, but the consent of the House has been received for the subcommittee to meet at this time. So, we may continue our hearing.

Mr. Lyons, I want to ask you a few questions. If and where you deem appropriate, please feel free to refer the questions to any member of your staff when you feel there is something special anyone else might be able to offer.

Mr. Lyons, is life insurance more difficult to obtain for police than other employees of State and local governments?

Mr. LYONS. Yes, it is. Any type of insurance is. I know in our union that for the nonpolice member, the accident-dismemberment insurance is far less than that for a law enforcement officer. Police officer is rated as a hazardous occupation; therefore, the rates are higher and coverage more difficult to obtain.

Mr. EILBERG. We recognize you are the leader of the International Brotherhood of Police Officers, and certainly we do not want to embarrass you in any way, shape, or form. I think you know the thrust of the bills we have before us. With all that, do you think that coverage should be limited or restricted to criminal acts?

Mr. LYONS. No, I do not. I think the Federal Government has already set precedence in behalf of its own employees that they are

covered in the line of duty, whether they be, as the gentleman from the Justice Department pointed out—whether it be a streetcleaner that works for the Federal Government or a security officer, the Federal Compensation Act takes care of both of them in the same manner.

As far as the police officer is concerned, I believe that this coverage—or any, if he is killed in the line of duty, whether he is chasing a felon or helping some person cross the street—I think there should be full coverage. He is on the firing line at all times.

Mr. EILBERG. I take it, then, you would have no objection to inclusion of firemen if the Congress were to pass legislation.

Mr. LYONS. None whatsoever. Here again, I do not think the average person wants to get too close to that fire. The only one that is in there at all times is the firefighter. I believe his job—and it is rated as a hazardous occupation—and I believe that 80 percent of all fires are set, there is arson involved. Of course, that is a criminal act. I have the same view of the firefighters as I do of police officers.

Mr. EILBERG. We do not have any solid evidence of the 80-percent figure, so I will not argue with you on that.

Mr. LYONS. It is pretty difficult for the insurance company to prove all of this, too.

Mr. EILBERG. Mr. Lyons, what efforts have been made by various police organizations and interest groups to work with the State governments for the purpose of encouraging the States to institute compensation programs?

Mr. WHITNEY. Much of this, of course, Mr. Chairman, is activity that is generated at the local level within the various States and subordinate governmental jurisdictions. In that vein, this is one of the reasons why we invited Sgt. Steve Snyder of the Denver, Colo., Police Department to accompany us this morning. I thought, perhaps, his comments could shed some light on that very aspect.

If you would not mind, I would like to turn it over to Steve.

Mr. SNYDER. Mr. Chairman, the only thing that we have in Denver is, we have two organizations; the Policemen's Protective Association and the police union.

Mr. EILBERG. Could you speak a little louder?

Mr. SNYDER. One is the Policemen's Protective Association, and the other is Denver Police Union. I am past president of the police union as of 2 years ago. The only coverage we have in regard to anything like this at all, the association provides a \$3,000 death benefit if the officer is killed in the line of duty. The union provides a \$1,500 coverage if the officer is killed in the line of duty.

There is also an insurance program, I believe, which is a \$10,000 program that we can get through the association, that we do pay out of our own pocket. As far as any legislation on the State level, to my knowledge we have none in Colorado.

Mr. EILBERG. What was your last comment?

Mr. SNYDER. To my knowledge, we have none on the State level.

Mr. EILBERG. How do you define the line of duty?

Mr. SNYDER. From the administration's point of view, I believe this would be any officer who is killed while in the performance or the function of his duties, whether it be an automobile accident, gunshot, or whatever, as long as he was in the performance of his duties.

Mr. EILBERG. Do you believe, Mr. Lyons, or anyone, that this legislation will aid in the recruitment and morale of police officers?

Mr. WHITNEY. Mr. Chairman, Officer Simons is president of our local which represents the D.C. Police Department, which does have this coverage. He can speak from actual experience.

Mr. SIMONS. Mr. Chairman, I feel it has a great impact on the recruitment and hiring policies of the police department, due to the fact that many of us are young, married, we have young families. As we approach this as a career, knowing that at any time in any duty, one bullet could end your life, we are concerned about our family, our children, and their future.

I think throughout the recruitment process here in the District that this has been widely publicized as one of the benefits you would have upon joining the Metropolitan Police Department and since September a year ago we have had three officers whose families received this \$50,000 death benefit.

Mr. EILBERG. In your opinion, do recruits for the police force take these benefits into consideration in considering whether or not to join the police force?

Mr. SIMONS. Yes; they do.

Mr. EILBERG. Some States and municipalities are providing benefits. I think we do want to preserve local initiative where we can.

The question I ask is do you feel this legislation will encourage or remove the incentive to State governments to institute their own programs for the dependents of public safety officers?

Mr. LYONS. I think the best way to answer that, Mr. Chairman, is the fact that whether it encourages them or not, I think it is something that is needed. I think the action by our Congress, if there should be an act signed by the President of the United States, is something they do not have at the present time. I doubt very much that many of the States would act if the Federal Government did not.

I know there are so many other subsidized programs that would take care of so many people. But I think this is one of the most important of all, and I do not think the States are acting. I think it is incumbent upon the Federal Government and Congress to act; whether or not it will encourage them to do any more, I do not know. Possibly it will; something in the line of scholarships and the like for children of officers who are killed in the line of duty.

Mr. EILBERG. Who do you believe should be included in the definition of public safety officers?

Mr. LYONS. Well, naturally, the police officers, and correctional officers. I think we positively can agree with the definition that is contained in the bill—correction officers, certainly probation officers, parole officers. I would even include the judges. We have even had judges that have been shot, and certainly a large number of them have to be protected in their dealing with criminal justice.

Mr. EILBERG. Mr. Lyons, would you be content to recognizing that in these bills, we do not begin to deal with the whole aspect of compensation? Would you be content to have the Congress start with the programs that are enunciated in these bills? In other words, we should have a compensation system or a system for injury.

The committee in the past has struggled to decide how far we should go. In the past Congresses, we have taken the position, that

we could start with the death cases. It is the kind of program which involves a very limited staff, a very limited Federal involvement beyond payments. Can you live with this legislation, let us say, as a starter?

Mr. LYONS. Most certainly, and I think my views may be shared by other police organizations, that this is a very important start. And I think if you attach any compensations to it, I think it would be a little difficult—maybe not getting through Congress, but certainly having the President sign it—in view of the many bills he has already vetoed. I think it would be rather dangerous to attach any other compensation benefits to the bill. I think the bill, as is, is an excellent bill, and certainly one we would endorse. I think we would be endangering this bill if you put on any other amendments or other benefits to it.

Mr. EILBERG. You are referring to H.R. 366?

Mr. LYONS. That is correct.

Mr. EILBERG. Mr. Dodd?

Mr. DODD. Thank you, Mr. Chairman. Thank you, Mr. Lyons, for your statement. I should add, when you listed some of the communities that you included Hartford, Conn. which is in my State. But you also represent Norwich, Conn. which is my home. It has a good reputation.

I have a couple of questions for you. Were you here for the earlier testimony by Mr. Durham? Did you hear the testimony of Mr. Durham?

Mr. LYONS. Most of the latter part of it; yes.

Mr. DODD. As you probably picked up, because this ran through most of the questioning, there was a lot of discussion regarding the question involving criminal activity, his reference to accidental death. Where would you draw the line and see some circumstances, or cite some examples, that you may have thought of or anyone on your panel here, where an accidental death or death with someone who is on duty would not, should not be included under the provisions of this bill?

Mr. LYONS. I really cannot, not while on duty. I could not agree with his line of reasoning whatsoever when he was trying to explain the part where you would have to be enforcing a Federal law in order for the widow to obtain the \$50,000.

Mr. DODD. Let us say a fellow is in the barracks, and he has a heart attack, and he is on duty.

Mr. LYONS. Here again—that is very dangerous, too, because the Federal Government only recently has agreed with us that an air traffic controller who suffers a heart attack or gets high blood pressure has compensable injury and it is a compensable death, and the Federal Government pays. So that the rigors of the job, or a past emergency that the police officer was involved in, could have been the element that caused the heart condition or the heart attack or the death or the high blood pressure that caused the death.

So we would be getting involved in some nitty-gritty and lengthy court cases if we get into that; that we would restrict it to certain heart attacks and certain cases of high blood pressure.

Mr. DODD. In line with that question, in discussion with some members of the committee, we were talking about going beyond the death and setting the permanent disability where you would have a definition of someone, because of their physical condition as a result of an injury incurred in the line of duty, they became permanently disabled. I recognize this in your very last statement—you said you did not want to jeopardize the bill by expanding unnecessarily at this particular point in time the provisions of the bill, which might cause its veto by the President. But I wonder if you could possibly give me some of your ideas regarding something more than death—and I am not suggesting an injury—but I am talking about the kind of injury which would disable a person permanently.

Mr. LYONS. I think Steve Snyder could answer that best. He was almost killed. He took three or four shots a couple of years ago. He was out of work some time, and he lingered near death. I think he ought to answer that.

Mr. SNYDER. I certainly would like to see something like you have just proposed, but I really feel that in regard to this bill at this time, I would not have this particular bill jeopardized. As the chairman pointed out, it is a starter, and I think this is good, to at least get the start, and maybe we can work from there in the future. I would hate to see anything attached to this such as permanent injury. I believe permanent injury is going to be extremely difficult to define too.

Mr. DODD. I recognize that.

Mr. SNYDER. I have myself some permanent injury which is not noticeable, which really does not—

Mr. DODD. I was thinking of permanently disabled. Again, as the chairman was talking about it, someone could be permanently disabled, I suppose, and after a period of 5 or 10 years, they may become employable again, so I recognize what you are talking about. I am just curious as to what your thoughts are regarding that particular provision.

Mr. SNYDER. I would really like to see something, but I think it is some way down the road.

Mr. DODD. The bill talks about providing payments retroactively in 1972. Would you have any difficulty if, let's say, there was word that came from on high that the bill is acceptable but provided you delete the provision which would include the retroactive payments to 1972?

It has been suggested by the Justice Department that it be prospective, rather than retroactive. Would you—would that deletion of that particular provision upset you to the point where you feel as though the bill should not be supported, or would that be—

Mr. LYONS. We would like to see it retroactive to 1972. If you notice on the statistics we provided, it has increased alarmingly over the last few years. We do have some very serious cases of widows with rather large families who are having a very difficult time. I hope that it stays in the bill, but, of course, if you get the call from way up high that it just will not go along with it, I guess we would have to accept what we could get, but we would like to see it, and we hope that the committee and Congress will vote the bill through with the retroactive feature to 1972.

Mr. DODD. My last question is, you mentioned that the chairman asked you if you could list anyone else, or who you thought should be included under the definition of a public safety official or officer. I wonder if you might conversely give me some idea of someone who should be excluded. Lawyers were mentioned by Mr. Durham, for instance, who did not think that lawyers should be included in that definition. It occurred to me when he said that, referring back to the time when a judge was killed on the bench in California, as I recall, I do not think any of the attorneys. But it is possible that an attorney, as an officer of the court representing a client in that capacity, could easily be considered an official, if we are going to include judges or bailiffs in a courtroom. What would be your thoughts on that?

Mr. LYONS. I do not think the attorney at all times has what you could describe as a hazardous occupation. Many times—

Mr. DODD. Someone might take issue on that.

Mr. LYONS. I think—I do not know if the President would ever sign the bill, if that was included.

Mr. DODD. Thank you very much.

Mr. Chairman, thank you.

Mr. EILBERG. Mr. Lyons, we certainly thank you and your associates for coming and helping us with this. We will do our best to expedite the thrust of this legislation. I cannot speak for all the members of this subcommittee, but my personal position is very clear, and we will do all we can. We appreciate having you.

Mr. LYONS. We want to thank you very much, and as far as the police officers are concerned, you are champs.

Mr. EILBERG. Thank you.

I would like to announce, for the benefit of those present, and also for the record, that we have had numerous requests from local police departments and local organizations throughout the country to testify on these measures, and there have been so many requests that, with the limited time available, the subcommittee decided that it was physically impossible to hear from all these local groups. I say that reluctantly, but that is the decision we made, particularly reluctant when I have to turn down opportunities to testify to people from my own city of Philadelphia. And you can be sure it pains me, so I would just say to the gentleman from the welfare department, sheriff's office, and youth studies centers, Local 159 of the American Federation of State, County, and Municipal Employees, AFL-CIO, Mr. John A. Campbell, president, and Mr. Hosmer D. Gunning, that we wish that we could have you on the stand and cross-examine you, but we cannot do so.

We are quite willing, however, to receive your statement, and make it part of the record, as I have noted your presence here. Are one of you gentlemen, or both of you gentlemen in the room? Mr. Campbell, Mr. Gunning. Apparently, they stepped out. But we will get their statements.

[The prepared statement of John A. Campbell and Hosmer D. Gunning follows:]

WELFARE DEPARTMENT,
SHERIFF'S OFFICE AND YOUTH STUDY CENTER,
LOCAL 159, AMERICAN FEDERATION OF STATE,
COUNTY & MUNICIPAL EMPLOYEES—AFL-CIO,
September 18, 1975.

As Union Officials representing Correctional Officers and Deputy Sheriffs in the City of Philadelphia, we are virtually interested in HR 366.

As recently as 1973, we lost two good men, Warden Patrick Curren and Deputy Warden Robert Fromhold, who were murdered in Holmesburg Prison.

Their families were left with only the small amount of Pension Funds as provided under the survivorship clause of the Pension Plan.

Needless to say this is not very much, certainly not enough to raise a family.

The people we represent work daily with fear. Not necessarily physical fear, but the far greater fear that in the event they are killed, as a result of their service to the Community, their families will be left in need.

We heartily support HR 366 and pray you Gentlemen, will report on it favorably.

JOHN A. CAMPBELL,
President.
HOSMER D. GUNNING,
Business Agent.

Our next witness is Mr. Robert Pat Stark, president of the Fraternal Order of Police, accompanied by Mr. Charles W. Bauman, chairman of the legislative committee.

Mr. Stark and Mr. Bauman, we are glad to welcome you here today. You have been with us, in support of this kind of legislation, and we look forward to your contribution this morning.

Before we begin, I would like to make a statement. There is apparently some small disagreement that has arisen between someone in your organization and this chairman. I would like to point out to you that I was not responsible for the failure of the bill emerging in the 93d Congress. I would like to point out that the Senate did not act on the House bill, which was the Line-of-Duty bill. The Senate had acted on the Criminal Act bill. The normal procedure would have been for the Senate to have disagreed with the House bill, or to have agreed with it, or to have disagreed and asked for the appointment of conferees, which would have been a normal thing to do.

So I think it is quite wrong to say that I was in any way responsible for the defeat or failure of the measure in the 93d Congress, Mr. Stark, and I would appreciate it very much if you would convey that to your members, because I think there has been a misrepresentation with regard to me personally, and I do not appreciate it.

Mr. Stark.

TESTIMONY OF ROBERT PAT STARK, PRESIDENT, FRATERNAL ORDER OF POLICE, ACCOMPANIED BY CHARLES W. BAUMAN, CHAIRMAN, LEGISLATIVE COMMITTEE; AND JOHN HARRINGTON, PAST PRESIDENT

Mr. STARK. First of all, I would like to state to the committee I was just elected national president, and a lot of this is new to me. Maybe sometimes my approach, or some of our members' has been wrong. You can rest assured, Mr. Eilberg, that they will be informed, and inadequacies will be corrected.

Mr. EILBERG. I hope you understood all of what I just said, because there is at least one other person in your organization that does not understand all that I said.

Mr. STARK. Yes, sir.

First of all, I would like to say that I am new to appear before this committee to speak, so I hope you will bear with me. It is new to me.

I am an active police officer, 25-year veteran in the Indianapolis Police Department. I was elected to represent police, and I am not a civilian representing any police organization. I am a police officer.

And I discussed my coming here with our national attorney, Mr. Ruckelshaus, and he felt that I should try to convey to you, and this committee, the actual feelings of the policeman on the street today pertaining to this piece of legislation, and this is what I will attempt to do.

He advised me that you probably had all the facts and figures that you needed, because you did not request any from me, so this is what I would like to try to do, is give you the opinion of the actual policeman today, working out here, as it pertains to legislation.

The police of this country today are engaged in an ever-increasing war, the war against crime and the destruction of this country from within. This war is of a nature that it is not being fought on foreign soil, nor will it be over in 2 or 3 years; it is being fought every day on American soil.

This war will continue and its end can only be hastened by those who make the laws that we must all live with. Those laws have to be changed to protect the innocent and rigidly punish the criminals. The permissiveness that now exists within our judicial system that worries more about the rights of criminals than it does about the victim of crimes has to be reversed.

In this country today, more than ever before in its history exists a total lack of respect for law and order. The police officer is very frustrated, angry, and disgusted, frustrated at the attitude of some of our courts and some members of the U.S. Supreme Court who seem to be much more sympathetic to our criminal element than to the victims who suffer physical abuse, monetary loss, and even loss of life.

The police feel that everyone should be protected as to their rights, but feel that when a man of his own doing commits a crime, then he no longer is a decent citizen of the community but has placed himself in the position of a criminal and his rights are not as important as his victim's.

The policeman's uniform today does not deter murderous acts against him by the criminal; anything that stands for law and order today is a mockery to criminals. If the laws of today are inadequate, then Congress must change them to stem the rising crime rate. If our prisons are not large enough to keep criminals off the streets, then again, build the prisons bigger. Use tax money for purposes such as these, instead of conducting wasteful surveys as to the physical measurements of airline stewardesses, or how the sweat glands of certain races function.

The police today are angry because back home in their local cities and States they are the ones who have to enforce our Nation's laws; they are the ones who feel the wrath of the citizens when criminals

are turned loose because of some loophole in the law, to prey on people again.

Yet the police are never consulted for any input into the making of our laws. We, the police, face the people of this country while enforcing the laws—not those who make the laws. A police officer today faces each criminal he comes in contact with with one thought in mind: this could be my life or his. That policeman has no one to help him make his decisions. He stands there alone. The snap decision he makes can do one of three things: save a life, take a life, or give his own life.

The policeman of today is thoroughly disgusted because of all the previous things I have mentioned while he goes about his daily routine. He then has to become involved in a fight with his own city and State over a decent salary increase or benefits which make him feel like wanting to do his job.

Many times these arguments have to be taken to court for long periods of time. In essence the policeman has to not only fight the war of crimes, he has to fight everybody to maintain a living wage.

Today there is a danger that most people are not aware of. Today you have a different type, or breed, of policeman. They are much younger, more militant, as most of them are ex-servicemen and they—if they become disgusted enough with low pay and all the complex problems—will walk off the job—which is evident by what is going on today.

They still have a sense of dedication. They are just sick and tired of being made fools of, they feel, if this, a world where everyone thinks only of themselves, then they, too, are starting to feel that way. They feel, why should I place my life on the line when nobody really cares.

I ask you to picture one thought for just a second. What if the police of our country decided to call it quits and all go to work in private industry? Today's problems of economy, oil production, unemployment, even foreign affairs, would all become minor problems, because the criminals would really have a hey day.

I know this committee has many other problems to discuss and think about, however, I urge you to put those other problems aside for a few hours and give the police of this country our attention. They deserve your support and consideration, for without them, all the laws that Congress can pass are just words on paper with no true meaning. They are useless without someone to carry them out and properly enforce them.

The police today are tired of being ignored and forgotten about. Last year—1974—there were 134 policemen murdered in this country, and many injured and maimed.

I urge this committee—by your actions—to pass this bill, H.R. 366, onto the floor of Congress, and then assist in its passage to show the police of this country that the Government of the United States does appreciate their efforts.

Passage of this bill will do much to increase the morale of our police, and will let them know that if they pay the supreme price of giving their life, at least their remaining widow and children will be taken care of by our Government. What better way to say to the police of the United States, Congress supports you in your never-ending war against crime. That is the feeling of the police officer on the street today.

[The prepared statement of R. Pat Stark follows:]

STATEMENT OF ROBERT PAT STARK, PRESIDENT, FRATERNAL ORDER OF POLICE

Chairman Peter W. Rodino, Jr., and Members of the Committee on the Judiciary of the Congress of the United States.

The Police of this Country today are engaged in an ever increasing War—The War against Crime and the Destruction of this country from within. This War is of a nature that it is not being fought on foreign soil, nor will it be over in two or three years, it is being fought everyday on American soil.

This war will continue and its end can only be hastened by those who make the laws that we must all live with, those laws have to be changed to protect the innocent and rigidly punish the criminals, the permissiveness that now exists within our judicial system that worries more about the rights of criminals than it does about the victim of crimes has to be reversed.

In this country today, more than ever before in its history exists a total lack of respect for Law and Order, the police officer is very frustrated, angry, and disgusted; frustrated at the attitude of some of our courts and some members of the United States Supreme Court who seem to be much more sympathetic to our criminal element than to the victims who suffer physical abuse, monetary loss, and even loss of life.

The police feel that everyone should be protected as to their rights, but feel that when a man of his own doing commits a crime, then he no longer is a decent citizen of the community but has placed himself in the position of a criminal and his rights are as important as his victims. The policeman's uniform and badge today do not deter murderous acts against him by the criminal, anything that stands for Law and Order today is a mockery to criminals. If the Laws of today are inadequate then Congress must change them to stem the rising crime rate, if our prisons are not large enough to keep criminals off the streets, then again build the prisons bigger, use tax money for purposes such as these, instead of conducting wasteful surveys as to the physical measurements of airline stewardesses, or how the sweat glands of certain races function.

The police today are Angry because back home in the local cities and states they are the ones who have to enforce our nation's laws, they are the ones who feel the wrath of the citizens when criminals are turned loose because of some loop-hole in the law to prey on people again, yet the police never are consulted for any input into the making of our laws, we the police face the people of this country while enforcing the laws, not those who make the laws, a police officer today faces each criminal he comes in contact with, with one thought in mind, this could be my life or his, that policeman has no one to help him make his decisions, he stands there alone, the snap decision he makes can do one of three things, Save a Life, Take a Life or Give his own life.

The Policeman of today is thoroughly disgusted because of all the previous things I have mentioned while he goes about his daily routine then on top of that he has to become involved in a fight with his own city and state over a decent salary increase or benefits which make him feel like wanting to do his job, many times these arguments have to be taken to court for long periods of time, in essence the policeman has to not only fight the war of crimes, he has to fight everybody to maintain a living wage.

Today there is a danger that most people are not aware of, today you have a different type or breed of policeman, they are much younger, more militant as most of them are ex-service men and they, if they become disgusted enough with low pay and all the complex problems will strike and walk off the job, they still have a sense of dedication, they are just sick and tired of being made fools of, they feel, if this, a world today where everyone thinks only of themselves, then they too are starting to feel that way, they feel why should I place my life on the line when nobody really cares.

I ask you to picture one thought for just a second, "What if the police of our country decided to call it quits and all go to work in private industry", today's problems of Economy, Oil Production, Un-employment, even Foreign Affairs would all become minor problems, because the criminals would really have a hey day.

I know this committee has many other problems to discuss and think about, however I urge you to put those other problems aside for a few hours and give the police of this country your attention, they deserve your support and consideration, for without them, all the laws that Congress can pass are just words on paper with no true meaning, they are useless without someone to carry them out and properly enforce them.

The police today are tired of being ignored and forgotten about, last year, 1974, there were 134 policemen murdered in this country and many injured and maimed.

I urge this committee by your actions not words to pass this bill H.R. 366 onto the floor of Congress and then assist in its passage to show the police of this country that the Government of the United States does appreciate their efforts.

Passage of this bill will do much to increase the morale of our police and will let them know that if they pay the supreme price of giving their life at least their remaining widow and children will be taken care of by our Government, what better way to say to the police of the United States, Congress supports you in your never ending WAR against crime, keep up the good work, help us put this country back on the right track, the way our forefathers originally intended it to be.

Mr. EILBERG. Thank you, Mr. Stark.

Mr. Stark, do you know the bill substantially, in its present form, perhaps with some changes, has passed the House twice?

Mr. STARK. Yes, sir.

Mr. EILBERG. I would like the record to also state that in the 92d Congress there was a conference report agreed to in the dying days of the session. Under the rules of the House at that time, the conference committee report had to be filed 3 days before it could be acted upon, and unanimous consent of the House to act upon the measure.

Also, at the same time, it was this Member that rose and asked for unanimous consent, but that the gentleman from California, Mr. Wiggins, who was on the committee at that time, opposed that. So we did not have the measure in the 92d Congress.

I wanted to be very clear on that.

Mr. Stark, do you believe this legislation will aid in the recruitment of police officers?

Mr. STARK. I certainly do.

I believe it would encourage many young men to take the job if they thought they were going to at least have their wives and children taken care of.

Mr. EILBERG. Will it increase morale?

Mr. STARK. I certainly do think it would, sir.

Mr. EILBERG. We have asked this question before, but we would like your opinion. Is life insurance more difficult to obtain for police than other employees of State and local governments?

Mr. STARK. Yes, sir. Definitely.

We are listed in all of our State laws and city ordinances as a hazardous duty profession. That makes the insurance harder to obtain, with higher premiums that we must pay.

Mr. EILBERG. What State or city, municipality, do you come from, Mr. Stark?

Mr. STARK. Indianapolis, Ind.

Mr. EILBERG. Could you tell us some of the difficulties of getting insurance in Indianapolis?

Mr. STARK. The city of Indianapolis has no life insurance on its police officers.

Mr. EILBERG. Why is that?

Mr. STARK. They have medical Blue Cross-Blue Shield, but not life.

Mr. EILBERG. For what reason?

Mr. STARK. Because of the high premium rate of hazardous duty. Because of the local lodge there, we have a \$1,500 policy on every member.

Mr. EILBERG. Life insurance?

Mr. STARK. Yes, sir.

In our General Assembly in the State of Indiana, we finally did get—it is not an insurance bill—but we finally did get a bill passed that will guarantee any police officer in the State of Indiana, who loses his life in a criminal act, that his children, surviving children, will be given a free college education at any State-supported institution of their choice. That is not insurance, but we did get it passed.

Mr. EILBERG. Are there any other benefits provided in your State or city?

Mr. STARK. That is the only one, sir.

I know that question has come up, so I would like to say that in my travels through the country, of police departments, very few police departments have life insurance plans provided for by the city.

Mr. EILBERG. Because they are too expensive?

Mr. STARK. Yes.

Mr. EILBERG. Or unavailable?

Mr. STARK. Yes, sir.

Mr. EILBERG. We have been previously engaged in fighting for public safety officers. Not only policemen, but firemen as well.

Do you believe that coverage should be limited to criminal acts on them?

Mr. STARK. No, sir. I believe that when a police officer starts his 8-hour tour of duty, if he receives a radio run to a holdup in progress, or another crime in progress, when he transmits and OK's that call, he is on his way to the scene of the crime. I think that anything that happens to him from the time he OK's that run and starts to go to that crime scene, that his life should be covered.

Mr. EILBERG. Do you agree with the approach that appears in the bill, namely, that the LEAA should determine what hazardous duties are and establish regulations?

Do you believe in that concept?

Mr. STARK. No sir.

I think that should be upon the local or State administration to determine that.

Mr. EILBERG. How would we decide the kind of situation which has troubled this subcommittee in the past, where a police officer is walking a beat, and perhaps trips and falls and hits his head on the sidewalk or street, and dies as a result of that contact?

Do you believe that that these officers should be included in the benefits provided in this legislation?

Mr. STARK. No sir.

I think each case has to be judged on its own merits.

Mr. EILBERG. By whom?

Mr. STARK. I felt by the administrative powers of that city and State.

Mr. EILBERG. You have, I am sure, heard about the Gulf Refinery fire in Philadelphia a couple of weeks ago, as a result of which eight firemen lost their lives.

There were some 21 minor children involved among those eight. To my knowledge, it has not been clearly established what the cause of the fire was. There was improper construction.

Do you believe that in a case like that, benefits should be provided to the next of kin?

Mr. STARK. I do, sir, because a fire is a fire no matter how it starts. And when a fireman loses his life, he is dead no matter how it happened.

Mr. EILBERG. Would you give me your idea about who might be included in the definition of public safety officer?

Mr. STARK. I agree with the bill, sir, the way it is written.

Mr. EILBERG. That is 366?

Mr. STARK. Yes, sir.

I do believe that, as was spoken earlier about the judge, I think the judge should be included in the bill. When it spoke of attorneys—I certainly have worked with them for 25 years, and I have many good friends who are attorneys, but I think it should be on the merits again, whether the attorney is an officer of the court. Whether he is prosecuting a criminal or whether he is a defense attorney and walks out of the court.

Mr. EILBERG. Mr. Stark, I do not want to dissuade you of any position you might take, but this subcommittee, in the past, has considered judges and lawyers, and recognizing there is an economic problem involved, we have, in the past, felt that judges and lawyers are more able to take care of themselves. And we wanted to provide benefits where there is real financial need. I am not saying every judge and lawyer has done extremely well; I wanted to give you an explanation as to why we have not included those officials in the past.

Mr. STARK. Actually, if you brought it down to the basics, sir, I think it probably should be anyone who is involved in the apprehension and retention of criminals. Police officers who apprehend, police officers in prisons who have to retain them.

Mr. EILBERG. And those who die when they are obviously performing their duty, not as the result of an accident, I suppose.

Mr. STARK. Yes, sir.

Mr. EILBERG. Mr. Dodd?

Mr. DODD. I would just like to thank Mr. Stark for testifying.

I was going to ask, really, only one question, and it is really for my own information; I do not know if you thought about it at all.

On page 5 of the bill, section 703, there are listed circumstances under which no benefits should be paid: Intentional misconduct and voluntary intoxication and denial of benefit to someone who was, I presume, caused or involved in the approximate cause of the officer's death.

I was wondering if you had anything to add to that at all. Could they give any other circumstances under which there should be a prohibition?

Mr. STARK. I would not think that a police officer is any different from any other citizen of this country. I do not think he should be entitled to it if he brings it about himself.

Mr. DODD. Those are the only circumstances?

Mr. STARK. Yes, sir.

Mr. DODD. Mr. Chairman, I have no other questions.

Mr. EILBERG. Mr. Stark, the chairman is not satisfied that we have yet available as much information as we could get on the situation

nationwide as to what benefits there are available throughout the country.

We are endeavoring to get these for every State and municipality and community, but it is extremely difficult to get that kind of information. Do you have any records, or access, or could you help us with that, so the committee would be as best informed as it possibly can be?

Mr. STARK. I believe we have a national salary survey, and a list of insurance benefits, et cetera. I believe we could give you some information from that.¹

Mr. EILBERG. We would appreciate having all the information you could provide to us regarding all the benefits that are provided to a family, to next of kin, to a police officer who dies in the line of duty or as the result of criminal act, or whatever the local definition may happen to be, so that we can present this accurately to the House.

Mr. STARK. I would be happy to assist this committee in any way. As I stated, I am new and I have a lot to learn. I will probably make some mistakes, but they will be honest mistakes. But I will assist this committee in any way I can, and our officers will.

Mr. EILBERG. Mr. Stark, you have done a very good job. I want to commend you for that. I hope you will not think that because some members are engaged in other subcommittee meetings that they are not interested. It happens that most of the members are pretty familiar with this subject, and I want to assure you that they will give this consideration as most favorable as we can.

Mr. DODD. My question to you—I have just been thinking about your response to me regarding the circumstances under which a person would be excluded from receiving benefits, and your answer to me, basically, was anyone who brings about or causes his own death by some act he does should be excluded.

What about the fellow who not necessarily violates a regulation, but does not perform an activity that he has been trained to perform, properly. In other words, he is guilty of a stupid mistake an officer might make and is killed as a result of that mistake, or one could establish that was the approximate cause of his death.

Would you add that as an area where you might exclude benefits to someone?

Mr. STARK. No; I would not, sir.

I feel that if he, himself, of his own volition, contributed to his death—now if he makes a mistake; like I just said, we are all human. I think probably I could judge his mistake, but if it is proven that it was a stupid mistake, and it was not of his own doing, purposely—

Mr. DODD. Do you think that an officer who storms a room full of people with machineguns on his own rather than call into headquarters—John Wayne style—made a stupid mistake?

Mr. STARK. I would not call him stupid, because we do have some police officers that are really that dedicated; that the odds mean nothing to them. So I would say probably he is the type of fellow who was not weighing the circumstances and was just reacting out of normal instinct as a policeman.

Mr. DODD. Thank you.

Mr. EILBERG. Thank you, Mr. Stark.

¹ See appendix 3 for related information.

Mr. Harrington and Mr. Bauman?

Mr. HARRINGTON. Mr. Chairman, I would like to correct a statement that was made by the man from the Justice Department.

He was referring to the Philadelphia Police Department, which I joined in 1940. He said our benefits are wonderful; we have scholarships. The scholarships that a policeman's children gets if he is killed in the performance of his duty is donations made by the public. The public does not make these donations; there are no scholarships; this is not given by the city government. That fund, right now, could not pay its last debts—the debt that was due, they had to wait for the results of this scholarship show.

This money comes strictly on donations.

He also said that the pension benefits that a policeman's widow would get is 70 percent. The benefit is 60 percent, and if she would remarry, that would cease immediately.

There was also reference made to the sanitation worker, that if he gets hurt and gets killed—sanitation workers, if they are killed in the city of Philadelphia, would not only receive a 60-percent pension, but they would receive social security benefits also. Putting both of these together, it would amount to more than full pay.

A policeman in the same city cannot join social security. He is prohibited by law from joining social security. So he would only get the one benefit, which would be that 60 percent if he is killed in the performance of his duty.

Many statements like this that are made—it was made in the 92d Congress; it was made that sanitation workers have a more dangerous position than policemen. It was made by Mr. Wiggins.

I just heard from the medical association that more people were concerned about the movies that are being shown throughout the country—called “Jaws”—people are now afraid to go in the water, afraid of the sharks. The medical association has given the facts and figures that more people are killed by bees than by sharks, yet people will go in a room with 10 bees, but they won't go in a pool with 10 sharks.

So these statements that are made have hurt this bill in the past, and they are not exactly true statements. There is the concern about—

Mr. EILBERG. Let me say we would like to include, once we have more solid figures, what is happening throughout the country so that people will understand that at exactly—I might add, as you know in the State of Pennsylvania, there is a bill that has passed the State House providing \$25,000 lump sum benefit; but I understand the prospects in the State Senate are nil.

Mr. HARRINGTON. It has passed the House, but just as you say, it has a very slim chance of passing the Senate. There has been a lot of talk and a lot of testimony on should a policeman receive this benefit if it is not the result of a criminal act that he loses his life.

And I think the committee ought to take into consideration that a policeman is a public safety officer. And in the city of Philadelphia, where you and I come from, policemen had to land their helicopter on the burning roof of an old age home on 39th and Chestnut so they could evacuate some of the old people and wake up the ones on the top floor.

There was no criminal act there, but they did save every person in that building, and they could have been blown up. There was another officer in a flood; he had to go out in a boat to get some women off a dike, and although none of the women were lost, he was drowned.

So, in public safety work, you are required to do hazardous acts that do cost your life. Now, a man could—and he would be taken to the front, and maybe lose his job for cowardice if he did not jump over to save somebody who was drowning; a man in full clothes, 40, 45 years of age, could do this and save the person, and as a result of the strain of doing that, he could die from a heart attack a few hours later while, perhaps, sitting on a bench.

Mr. EILBERG. Do you agree with the concept we have in H.R. 366 that hazardous duties would be determined—there would be standards that would take care of cases like that?

Mr. HARRINGTON. I think it should be included in hazardous duties; the incidents I just cited, like floods, where men have to take action; fires, where they have to take action.

In the case where eight firemen were burning at Gulf Oil, he would have to go in there and take some action. In that case, he would have been the ninth victim, but he would have to take the action and there was no criminal act. In most of these fires and things that take place, 99 percent of the time you just cannot prove there was a criminal act, even though your conscience tells you there was.

Mr. EILBERG. In the legislation, we inserted that the hazardous duty would be determined by the LEAA.

There is one important reason for that; there would be uniform standards around the country. I am personally fearful that if this were left to the individual municipalities, possibly even the States, that you would have different standards all over the country, and you would have people covered in one State but not in another State.

There would be injustice in that. I wonder what your reaction is to that.

Mr. HARRINGTON. I think that Congress should have some fair means set up in this law that there would be one group to justify the results as to was it hazardous duty, was it in the performance of the duty, and so forth.

I would be satisfied if Congress set that up in this law, in their wisdom, to make a position where every man would get an honest shake.

Mr. EILBERG. Thank you.

[The prepared statement of Charles W. Bauman follows:]

STATEMENT OF CHARLES W. BAUMAN, JR., LEGISLATIVE CHAIRMAN, FRATERNAL ORDER OF POLICE GRAND LODGE

Mr. Chairman and members of the Judiciary Committee: My name is Charles W. Bauman, Jr. I am the Legislative Chairman of the National Fraternal Order of Police. The Fraternal Order of Police is the oldest and largest police organization of full time law enforcement officers in the U.S.A. We were organized in May, 1915 and have a membership of over 135,000 policemen. To join the Fraternal Order of Police, as an active member you must be a full time police officer of the Federal Government; a State Government; or a Local Municipality. It is in their behalf that I come before you today, to give to you their views on the legislative bills before you.

Similar types of legislation has been before Congress for the past four years. The reason why this type of legislation has been brought before you, was because there has been an increase in the killing of policemen for no matter whatsoever.

The killer often referred to the policemen as pigs and knew if he was caught the worse sentence would be life imprisonment. This only averages a period of about three years. This type killer kills again yet a policeman must face him. Recently a man killed the warden and deputy warden in the Philadelphia prison. Two weeks ago in a Philadelphia Court after the judge sentenced him to 10 to 20 years the killer laughed out loud and slouched in his chair. William Hollewell who killed two policemen, served two life sentences, was pardoned through the efforts of his foster mother, was released then murdered her.

In the past few years several bills such as HR. 12, HR. 6449, S.B. 15 and HR. 11321, HR. 12 which was introduced by Mr. Rodino, S.B. 15 by Senator McClellan and HR. 6449 all called for the survivor of a policeman to receive \$50,000.00. However, they did differ. HR. 12 required a policeman to be killed in the performance of duty, to become effective on the date of signing. SB. 15 and HR. 6449 both required a policeman to be killed as a result of a criminal act. Then SB. 15 and HR. 6449 differed in that SB. 15 was retroactive to October 17, 1972 while HR. 6449 was effective on date of signing.

SB. 15 while requiring a policeman to be killed as a result of a criminal act only required a fireman to be killed in the performance of duty. SB. 15 and HR. 6449 called for \$3,000.00 to be given to the survivors at the time of death and \$47,000.00 later. HR. 366 and HR. 3544 before you provides the same \$3,000.00 at death and \$47,000.00 to come later. I believe the survivors should receive this payment no matter if the man is killed as a result of a criminal act or in performance of his duty.

The Legislative branch of the Federal Government passes laws which the policeman must enforce and sometimes in so doing is killed. It is the policies and regulations set down by the Federal Judicial branch that has caused the permissiveness in this country. This has done more to increase the crime rate and with all the laws, regulations and policies handed to a policeman by the Federal Government they pay him nothing for carrying them out. In many states policemen cannot join Social Security. Other working people enjoy Social Security and if they are killed in the performance of their work duty, no matter what their occupation may be. Their survivors are paid Social Security benefits for wife and children. In a very short time this benefit can amount to \$50,000.00. They could also receive a pension from the company and insurance payments. Police pay in many parts of the country is still poor and forces men to moonlight to make ends meet. If a policeman seeks insurance many times the premium is too high.

Law enforcement officers are dedicated to their law enforcement careers and the maintaining of their families. The benefits you are considering would improve the quality of law enforcement and the morale of those who enforce the rules and regulations. Each law enforcement officer, no matter what branch of law enforcement he works for, is fully aware that death may come anytime in the sworn performance of his duty.

We policemen would like to see the bills before this Committee become a piece of legislation, that would grant the survivors of a policeman killed in the of duty, the sum of \$50,000.00. With \$3,000.00 paid immediately and the balance in one lump sum. The bills should also be retroactive to October 11, 1972 because the President in 1970 promised this legislation when bill S2087 was passed in the Senate September, 1972, and should have been enacted into law by October 11, 1972. Further, the meaning of law enforcement officer, should be any professional law enforcement officer employed and trained to enforce the laws of the land. As for the firemen, I do not speak for them, however, I feel the wisdom of this Committee will correctly include who in firefighting should be included.

I want to thank the Chairman and the Committee for permitting me to make my remarks. Also their Counsel who are always courteous.

Mr. EILBERG. Mr. Russo, I know you have not had much of an opportunity to listen to a great deal of the testimony. I know you were busy elsewhere. Do you have any comments or questions?

Mr. Russo. Yes. I would just like to make a brief comment. I have been tied up in markup sessions this morning in another subcommittee, and I was unable to be here. But as a fellow who totally supports this legislation—and I am also one who is a cosponsor of this legislation—I think it is a very vital piece of legislation that should come out of this Congress; it should be enacted before this session ends.

I worked very closely with many police officers in my days as a prosecutor back home, and I appreciate the problems they have, especially in view of the increasing amount of killings that take place today of police officers in the line of duty.

I think we ought to move on this as fast as possible and get this bill over. It is important.

I thank the chairman for his interest, and the opportunity to say this.

Mr. EILBERG. Ladies and gentlemen, this subcommittee will end the discussion at this point on this legislation, and will pick up tomorrow with the number of other witnesses, and we will determine whether further hearings are necessary.

Mr. STARK. Congressman Eilberg, I would like to say that the Fraternal Order of Police supports this committee 100 percent, and any request you make of us, we will carry out.

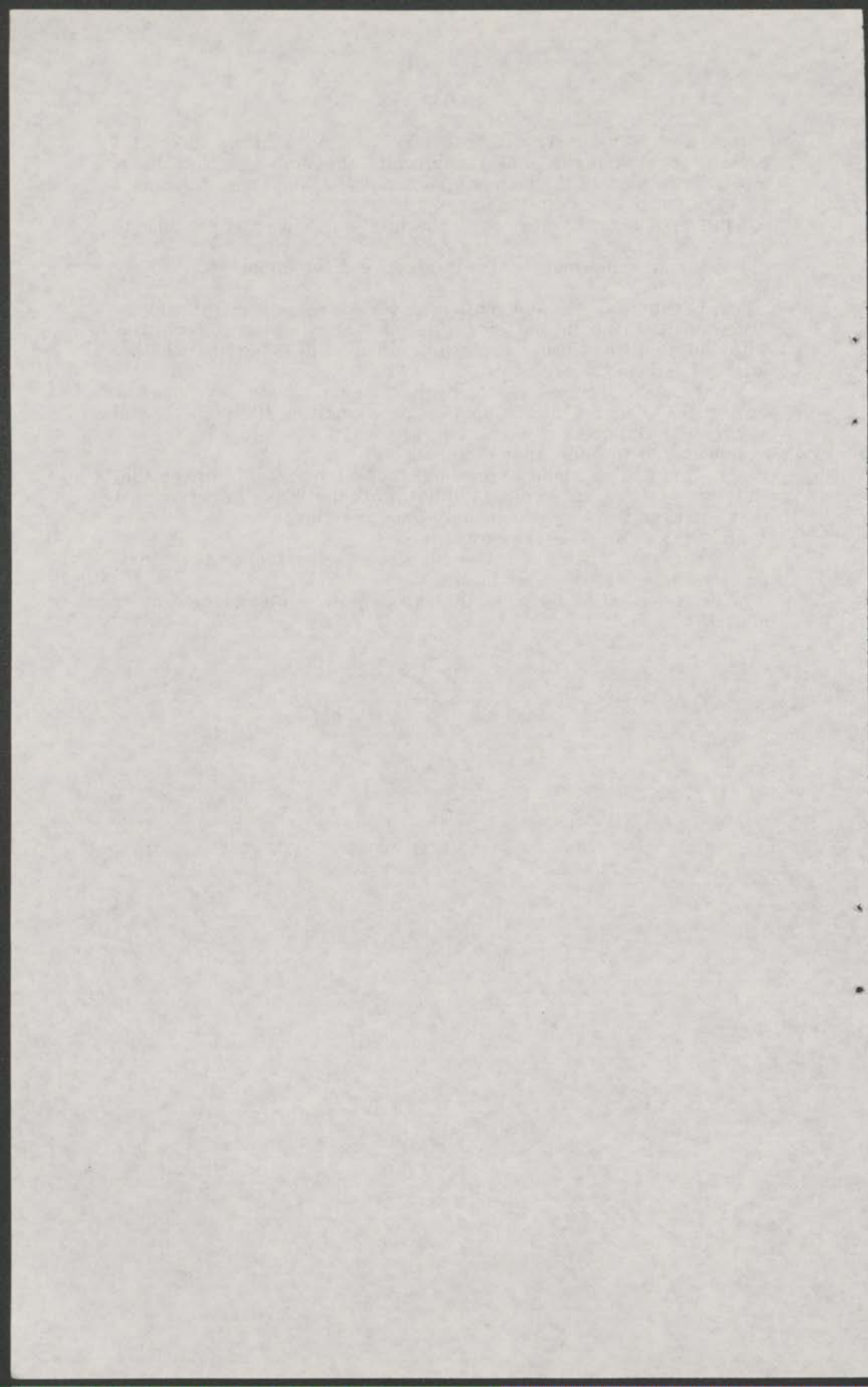
I want you to know that personally.

Mr. EILBERG. I would appreciate, too, if you would correct that statement with regard to me. I did not think that was a fair statement that appeared in the issue, the July issue, I believe—

Mr. STARK. We will take care of it.

Mr. EILBERG. Thank you. We will recess the hearing on these matters, and take up our other business.

[Whereupon, at 12:30 p.m., the subcommittee proceeded to other matters.]



PUBLIC SAFETY OFFICERS BENEFITS ACT

FRIDAY, SEPTEMBER 19, 1975

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON IMMIGRATION,
CITIZENSHIP, AND INTERNATIONAL LAW
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:15 a.m. in room 2226, Rayburn House Office Building, Hon. Joshua Eilberg [chairman of the subcommittee] presiding.

Present: Representatives Eilberg, Sarbanes, Russo, and Fish.

Also present: Garner J. Cline and Arthur P. Endres, Jr., counsels; Janice A. Zarro, assistant counsel; and Alexander B. Cook, associate counsel.

Mr. EILBERG. The subcommittee will come to order.

Today we will continue consideration of bills H.R. 365, H.R. 366, and H.R. 3544, relating to death benefits to survivors of public safety officers who die in the performance of duty. We had testimony yesterday; this is a continuation of yesterday's hearings.

We are beginning with no other members of the subcommittee present, recognizing there are witnesses who are anxious to appear and make commitments elsewhere.

Our first witness is Raymond Hemmert, district vice president of the International Association of Firefighters, accompanied by Jack A. Waller, legislative representative of the International Association of Firefighters.

Would you gentlemen please come up?

Let me say first it is a pleasure to welcome you gentlemen back. I particularly want to recognize Ray Hemmert from the city of Philadelphia, who is, in addition to being vice president of the International, the president of the local in Philadelphia, whom I have worked with before.

It is a pleasure to have you here.

Mr. Waller, for the record, would you identify the gentlemen to your right?

TESTIMONY OF RAYMOND HEMMERT, DISTRICT VICE PRESIDENT,
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, ACCOMPANIED BY JACK A. WALLER, LEGISLATIVE REPRESENTATIVE,
AND WALTER LAMBERT, DIRECTOR OF RESEARCH

Mr. WALLER. The gentleman to my right is Walt Lambert, director of research for the International Association of Firefighters.

I am Jack Waller, legislative representative for the International Association of Firefighters.

Mr. EILBERG. I take it you are the chairman of this team?

Do you wish to testify first, and then Mr. Hemmert?

Mr. WALLER. Yes.

Mr. Lambert will answer any statistical questions that any of the members might have.

On behalf of our membership, I wish to express our deep appreciation to you, Mr. Chairman and the members of the subcommittee, for scheduling hearings on this legislation which we feel is so vital and necessary to maintain a viable public safety organization in the hard-pressed municipalities of this Nation.

We also wish to thank the approximately 140 Members of the House of Representatives who have introduced or cosponsored legislation of this same type in the past, in one form or another, that would provide compensation for firefighters who are totally disabled in the line of duty and provisions for their survivors in the event of death in the line of duty.

I note that some of the legislation that has been introduced is written to cover only one segment of the public safety departments. It is the strong feeling of the International Association of Firefighters that legislation of this nature should be broad enough in scope to provide protection for all public safety officers, the guards in correctional institutions, and the members of the judiciary when they die in the line of duty.

The argument supporting this coverage is written daily on the front pages of the newspapers throughout this Nation and TV media. There is no segment of the protective force of this Nation who represent the establishment that are free from potential daily death and injury. I need only cite to you, that between 1960 and 1975, 50 firefighters were killed in civil disorders or during acts of civil disturbance or while being harassed. This does not include the many firefighters who fall victim to the flames started by an arsonist or to the many members of our organization who are killed or maimed responding to an illegal false alarm.

It is the firm belief of the International Association of Firefighters that Federal compensation should be given to survivors of any public safety officer who is killed in the line of duty. In the year of 1973, for every 100,000 firefighters employed in the United States, 69 paid the supreme sacrifice while fighting fire. Another 111 per 100,000 employed died from occupational diseases, such as heart attacks and respiratory ailments. In the same year, 47.9 firefighters were injured for every 100 employed. The facts are that the statistics show that in 1973 the fire service obtained the dubious distinction of having more of its members killed per 100,000 workers than almost any other occupation. Mining, rock quarrying, and construction also had a large toll.

One last and final statistic, from 1963 to 1973, 919 firefighters met their death in the line of duty. This statistic was compiled by surveying approximately 170,000 firefighters.

We support the philosophy of a lump-sum grant for the surviving families of public safety officers killed in the line of duty. This legislation should not be restricted to those who lose their lives because of a criminal act. It is difficult to distinguish the needs of survivors of firefighters who lose their lives in a heroic rescue from those who die from a criminal act.

It becomes more evident, as time moves on, that the true responsibility for the protection of the public safety officers and their dependents lies within the jurisdiction of the Federal Government. The recent attempted assassination of the President once again established the mobility of the people of America. The individual who perpetrates criminal acts of the type that are covered by this legislation are very seldom a local problem.

The assassin, the arsonist, the perpetrator of civil disorders, the bomb terrorist, are almost without exception imports. The perpetrator of any of these horrendous crimes may well have that same day been on the other side of this Nation and if successful in his crime be back across the Nation before nightfall. The time has come when public safety officers of this Nation are in dire need of a boost in morale and there is no better way that this could be obtained than by having the Federal Government enact a type of legislation that is presently before this committee.

I can assure you that it would bring back to the firefighter and police officer the feeling of being needed and of being appreciated by those people whose lives and property they strive daily to protect. I feel positive that the benefits derived by the people of this Nation from the enactment of such legislation would far offset the cost factor involved.

It is very reassuring to, on numerous occasions, note in the Congressional Record the compliments and platitudes directed toward public safety officers of this Nation.

Mr. Chairman and members of the committee, today you have the opportunity to do something truly meaningful for the people engaged in public safety work, and the International Association of Firefighters recommends to you that your committee favorably report H.R. 3544.

Mr. EILBERG. Mr. Hemmert, would you be good enough to give us any thoughts you might have. I am sure, among other things, that you would be concerned with the recent Gulf refinery fire in the city of Philadelphia. You are familiar with this legislation. Please proceed.

Mr. HEMMERT. Thank you, Congressman Eilberg.

Along with my colleagues here, I again appreciate the opportunity to be here today on behalf of the firefighters. We feel that the Federal Government has responsibilities toward firefighters who die in the line of duty for the following reasons. Firefighters have ever increasing hazards in their occupation because of the very large number of lethal materials being transported interstate by tank car and tank truck. These extremely dangerous substances provide an ever present danger to firefighters who, in case of vehicle or train collision and resulting fire, are the first to be called upon.

Over the last few years a number of deaths in accidents involving hazardous materials has shown remarkable increase. For instance, in Kingman, Ariz., 13 firefighters were killed within a few minutes of arrival at the scene of an explosion of a tank car. The National Transportation Safety Board has developed statistics showing that firefighters are 156 times more liable to injury and death in a derailment involving hazardous materials than a train crew itself. In the case of the tank truck fire, the extreme risks come from rocketing of the ends of the trucks and from the phenomenon known as bleiving. This is a

boiling liquid expansion vapor explosion, where the pressure rises so fast in a tank that there is a failure of the metal and immediate increase of large quantities of vapor. This vapor is in such concentrations that it is easily ignited, resulting in the explosion and a great sheet of flame all around the truck for hundreds of feet. This is followed by missile effects from the fragmented tank truck or tank car, usually accompanied by rocketing.

The range of this rocketing, in most cases, 1,000 to 1,500 feet. The Federal Government bears a share of the responsibility for this dangerous situation because of failure to require, No. 1, identification system which could easily be learned by firefighters so they would know contents of a vessel being transported. No. 2, the airports of the country depend on firefighters to provide the protection essential to the operation of such facilities. In many instances, those airplanes carry not only passengers and ordinary freight, but substances of toxic nature which could pose additional hazards of firefighters, in the event of a crash landing and resulting fire.

Airports have many flights of cargo planes carrying an infinite variety of materials, some of which is toxic. The risk of death from igniting of these substances is increasing steadily.

No. 3, the Federal Government has large numbers of buildings throughout the country. Fire protection has to be accorded to the structures. This is an additional reason for Federal interest in firefighters.

No. 4, the seaports of the United States are protected by firefighters and the cargoes of many of these ships consist of toxic and explosive substances which add to the perils that firefighters face in the event of fires on ships.

No. 5, oil refineries—oil refineries are engaged largely in interstate operations. These installations present extremely dangerous situations to firefighters, as evidenced in the recent fire deaths in Philadelphia.

Gentlemen, I think that you are all aware of what happened in Philadelphia with the eight firefighters that were killed in the line of duty. The reason or reasons at this point—

Mr. EILBERG. You are referring to the Gulf Oil fire?

Mr. HEMMERT. Yes. The reasons for this are unknown at this point. But we feel sure that when the investigations are completed, there will be negligence on the part of Gulf refinery. There is no detection device in any of the refineries in Philadelphia and I speak firsthand as an active firefighter who had been at Gulf, not on this particular fire, but on occasions before. I was at Atlantic, there was no detection. The dangers are ever increasing. We know of no law. We have asked—no protection from OSHA as yet in Pennsylvania. But we do feel that when this is over, these lives are wasted because a simple detection device to show leaks in the tanks, overflow in the tanks, simple detection devices.

And we know of many millions of dollars that oil refineries have and the monetary cost of detection devices that would give us a fighting chance are absent. For this reason we feel that this bill should be passed for line-of-duty deaths for firefighters.

Mr. EILBERG. Mr. Hemmert, just very briefly, is it not true that of the eight firemen who died in the line of duty in that Gulf Oil fire about a month ago in Philadelphia, that in addition to spouses there were a total of 21 minor children of those eight firemen?

Mr. HEMMERT. Yes; there was, 21 minor children that are fatherless.

Mr. EILBERG. Now, I have a number of questions and probably a number of them are directed to you, Mr. Waller or perhaps your research man here. I note that in the statistics you read you indicated your 69 firefighting deaths per 100,000 employees in 1973. Can you translate this figure into a total number of firefighters killed in the line of duty in 1973?

Mr. WALLER. I will turn that over to Mr. Lambert.

Mr. LAMBERT. I can furnish you with the 10 years from 1963 to 1973 total and for how many each year in 1973, there were 90 firefighters killed. That is 90 professional firefighters. That does not include volunteer fire fighters or people outside of our organization, although we represent the great majority.

Mr. EILBERG. What would be involved in getting these statistics for the voluntary firefighters?

Mr. LAMBERT. I do not have any idea. In testifying before the President's Commission on Fire Prevention and Control, we made some statements that there was nobody in the Nation who knows how many volunteer firefighters there are. Nor is there anyone in the Nation who keeps statistics on it. I do not believe the staff at that particular time believed this but they do now. Our problem is that when you go into a volunteer fire department, you may find a list of 100 volunteers and many of them are citizens who have contributed to that particular fire department, who have been volunteers in the past. But out of 100 you may have only six or seven who are active. This is the problem.

Mr. EILBERG. I do not question that firefighters are the most dangerous activity and that there are more fire deaths than in any other occupation. Or at least I am told, as far as the public services are concerned, if we do not know the number of deaths of voluntary firefighters, how can we accurately say that firefighting is the most dangerous public safety profession?

Mr. LAMBERT. If we computed the volunteers into it, it would be much higher. But at the present time with the amount of people that we cover and so forth, it is the highest in that category. I am sure if we added all the other figures in, it would be just that much higher, but I do not know how you could, at this particular time, ever determine how many volunteers are killed or injured and so forth. I do not have any idea.

Mr. WALLER. The National Fire Protection Association who does some work along this line has issued some statements but there really are not statistical facts to back up their statements so we just do not use them.

Mr. EILBERG. Do you have the number of firefighters killed in the line of duty for 1974?

Mr. LAMBERT. No, in 1974, I am presently doing this survey. I will have those figures at the end of September. We published these in the November issue of our magazine but we will be complete at that particular time.

Mr. EILBERG. Will you provide us with the results?

Mr. LAMBERT. Yes.

Mr. EILBERG. The figure you have given us is reliable?

Mr. LAMBERT. Yes, the statistics do not basically come from the union. The union publishes them but it comes from the Fire Administration, the fire chiefs, and so forth. They furnish us with this information.

Mr. EILBERG. Can you furnish us with deaths of firefighters killed in the line of duty, going back to say, 1960, on an annual basis?

Mr. LAMBERT. No, I can go back to 1963.

Mr. EILBERG. Please do that.

Mr. LAMBERT. Yes, sir.

[The material referred to follows:]

DEATHS OF FIRE FIGHTERS

The following totals are based on an annual survey of fire administrations by the International Association of Fire Fighters. This survey only includes professional fire fighters.

Year:	Total	Year:	Total
1963.....	69	1970.....	115
1964.....	65	1971.....	106
1965.....	55	1972.....	100
1966.....	93	1973.....	90
1967.....	96		
1968.....	92	Total.....	985
1969.....	104		

Mr. EILBERG. Mr. Waller, what, in your opinion, is properly considered a line of duty death? Should it include only deaths at the scene of the fire or should it include any deaths while the firemen are responding to or returning from a fire? Should it cover deaths from occupational diseases such as lung damage or heart disease?

Mr. WALLER. We would hope that we could cover occupational diseases such as heart attacks and respiratory ailments. What I think, in going over this, with the committee and the Senate side, it just does not seem we would be able to get that kind of an appropriation. We worked diligently with you and your staff to have the wording that is in the present piece of legislation.

Mr. EILBERG. I wonder if you would take the microphone up closer?

Mr. WALLER. We have worked very diligently with your staff and yourself and Mr. Fish on this wording. Certainly it is not as broad as we would like it, but I think legislative process is one of negotiation, of give and take. We would be very happy if we could just get this piece of legislation enacted into law in the wording that it is. As I understand, what we have agreed to in the wording of the reports, we are talking about covering a firefighter who dies, not only at the scene of a fire in line of duty, but one who dies from performing a duty that is deemed to be hazardous, which would take care of anybody making, say, for example, the rescue of a drowning child. That would certainly be deemed by anybody to be a hazardous involvement and certainly the widow of that man would be covered.

We certainly believe that the language is broad enough to protect our people who are killed, responding on a piece of fire apparatus, because I can assure you traveling in traffic in some of our big cities is more hazardous than going down into that smoke filled basement.

It is one of the facts of life that we are involved in. We cannot go 5 miles an hour to get to a fire. We have to try to get there as rapidly as possible.

Mr. EILBERG. Mr. Waller, are you and your organization satisfied with the language in the bill as we provide for inclusion, actually fighting the fire and also those activities that are considered hazardous by the LEAA? Are you satisfied with that?

Mr. WALLER. We would also want to say, we would continue to have the legislation amended and broadened to cover our people who die. For example, say, in a fire station, who is on fire station duty and dies of a heart attack, we would try to convince you and the rest of Congress that that also should be covered.

Mr. EILBERG. We understand your position. I made references to this before but I would ask you specifically, is firefighting still considered to be the most hazardous occupation by the Department of Labor?

Mr. LAMBERT. Yes. The Department of Labor basically uses our statistics and have used them in arbitration and court procedures and so forth. At the present time, because of the lack of coverage of the national occupation and health and safety law to public employers, these are the only statistics available.

The National Safety Council does some minor statistical areas for 158 units of Government which are units of Government who agree to set up their reporting system and agree to use what they determine as the Z-16 definition of injury, which is not acceptable to the Labor Department or other organizations that are in the statistical field.

Mr. EILBERG. Mr. Waller, in your 1973 death and injury survey, you state that line-of-duty deaths decline in 1973 by 10 percent. Was there a similar decrease in deaths in 1974?

Mr. WALLER. Maybe I should let Walt—it seemed like we reached a peak, according to our statistics, of individual deaths in about 1970, when we reached 115 deaths. Then, since that time, the figures have shown a decline.

Mr. LAMBERT. From 1972 to 1973, it was approximately 10 percent decrease in deaths.

Mr. EILBERG. Again—

Mr. LAMBERT. In 1974, statistics will be available soon, and I think they will show at the present time also a decrease.

Mr. EILBERG. Can you give reasons for those decreases?

Mr. LAMBERT. Yes. I think we have taken some strong looks at the types of firefighting we are doing. For instance, the ordering of firefighters into buildings who have been previously burned or vacated buildings, and so forth. We have lost a tremendous amount of lives in this area, and I think the administration of the fire departments have taken a new look at the procedures which we use in those types of buildings. So last year, we continued to lose lives in this same area.

Another thing is that the national occupational health and safety law is enforcing upon the States new State enactments, that are coming up with better fire protection clothing, better breathing apparatus,

better equipment, and so forth. The firefighters who are being burnt up with cotton clothes on, they are nowhere near what a firefighter should wear. The day has ended for those types of situations. The employer himself, the cities, are being forced into the position that they must buy better and more up-to-date equipment.

Mr. EILBERG. With the use of better equipment, it is possible, therefore, to reduce the deaths in the firefighter profession, in your opinion?

Mr. LAMBERT. Right. Also, we have two other items. In 1975, we have the multiple deaths—in the last years, we have not had the multiple death situation that we had before.

Mr. EILBERG. But you had it at the Gulf Oil fire.

Mr. LAMBERT. I say for 1975. But in the 2 years previously, we have not had the multiple deaths which will hold us down. Prior to that time, we had in Boston 11 killed. In Massachusetts, we had 15 killed in 1 month's time. So where the multiple deaths disappear, your total will be reduced sharply.

Mr. EILBERG. Mr. Waller, here is a question which really gets to the core of the difference between the House and the Senate. I am going to ask your opinion on it for the record.

There has been some criticism by the Department of Justice to the effect that the national interest to extend the Federal involvement in public safety or fire prevention is not as great as crime prevention, since crime has no boundaries. I would like your general reactions to the propriety of Federal involvement in the public safety profession, particularly as it relates to providing death benefits to the dependents of the survivors of firemen who die in line of duty.

In other words, you remember that basically, the House position was death in the line of duty, and the Senate position was death from criminal act. How do you react?

Mr. WALLER. A firefighter not only saves the life and property, he is first line of defense, as proven recently when we had disturbances. If a fire destroys a building, that provides jobs for people, it has a definite effect on the Federal Government's ability to operate and function.

The people know—a typical example is the increase in the arson fires that has taken place in our Nation, due to the economics that we are faced with today. Once again, the people who do these things are not the local boy. Like my testimony showed, they are the imports. They come in and they do their deed and leave.

One of the very difficult things—and I know that the law is written by the Senate side, and some of the language was hoped to be broad enough to where there was really no need, I suppose, to prove that, and a criminal act had taken place. You would just presume it. We are fearful of that, that that kind of language is what we end up with, because it is very, very difficult to determine the cause of a fire if an arsonist has done a good job. He can make it look like it was a short in an electrical system, or an overheated stove or furnace. He can make it look like that to even experts.

So, we just know that our people would never get what they are entitled to, if that kind of language is what is finally decided on.

Mr. EILBERG. You mentioned arson repeatedly. Do you know how many arson fires are set, and particularly how many deaths resulted from fires from arson?

Mr. LAMBERT. The answer is no, and the reason the answer is no, on many fire reports, the cause of the fire is left open. And although the firefighters at the scene have a pretty good suspicion that that particular fire was arson-caused, the proof of it is extremely difficult.

Also, if the cause was put on there as arson and we could not prove it, we may deny some person the insurance benefits of that particular claim. So the total number, really, is very difficult.

Mr. EILBERG. A witness yesterday stated it was possible that 80 percent of fire deaths might have resulted from fires set by arsonists. Do you have any way of recognizing that figure? Does it have any meaning?

Mr. LAMBERT. No; it has no meaning to me.

Mr. EILBERG. Finally, gentlemen, recognizing that you would be totally unsatisfied with the criminal act restriction, because very few firemen would be included, would your organization support concepts that would provide compensation for deaths resulting from unlawful act, perhaps a misdemeanor rather than a felony; perhaps a summary offense rather than a misdemeanor? In other words, an unlawful act not arising to the degree of crime such as because the fire was a violation of a building ordinance.

As you know, in many municipalities, the violation amounts to a summary of an offense or violation. How would you answer that?

Mr. WALLER. Certainly that language would be far better than the Senate interpretation of the language of the bill that the Senate sent to the House a couple years back. I am sure it would provide a few more of our widows with coverage. But once again, it is going to be very difficult for anyone to prove what started the fire, or caused the fire. Gulf Oil Co. in Philadelphia; we knew if they would have had detective devices, we would have been notified earlier, and it would have never reached that proportion.

When that investigation is over, and you see that mass of wreckage and ruin, for anybody to come out and say that was caused by this or that is almost totally impossible. I just know, once again, maybe the building owner was in violation of the code, so that our people would be protected. And once again, you are going to get into civil suits to determine whether or not he was in violation.

Mr. EILBERG. I am not talking about civil suits. I am saying, if you can show that there is a violation of the building code, there are some fines imposed, this might be construed as an unlawful act, and possibly might be the basis of including legislation. And we run into the same kind of resistance in the Senate as we did before. I just wonder whether that would be—

Mr. WALLER. It would broaden our coverage, and certainly, again, we would insist upon or we would attempt to influence Members of Congress, both sides, to accept the language of the legislation that has been before your committee and passed by the House of Representatives in previous sessions. We would do everything we could to maintain death in the line of duty.

Mr. EILBERG. Under the position of the Senate, past position, how many firefighter deaths do you believe would be covered under very liberal interpretation of that restriction?

Mr. LAMBERT. I do not know. Because of my statement that the cause is left open, unless arson is almost proven, and the evidence is

recovered, I think it would be very difficult to determine whether you have a lawful or unlawful, or a violation.

Mr. EILBERG. Would you have some statistics indicating that there are a few identifiable arsons each year, deaths resulting from arson? In the past, there have been some few sniper deaths; certainly those would be included. The point I am making, trying to elicit from you is, indeed, the number would be very small. I assume you would agree with that statement?

Mr. LAMBERT. I would think so, but I think we are entering into a vague area. I as a statistician intend to furnish statistics. They must have some integrity with them. To be emotionally involved or to make broad statements without confirmed basis, I would be in a very poor position.

[No information could be supplied since accurate estimates are not available.]

Mr. EILBERG. Congressman Fish?

Mr. FISH. Thank you, Mr. Chairman.

I welcome you, Mr. Waller, and your associates. The information and statistics that you and your associates of the National Association of Firefighters have been talking about with us this morning only concerns paid firemen?

Mr. WALLER. Yes.

Mr. FISH. It seems to me that it should be possible to get the information for volunteer fireman. Certainly where I come from, volunteer firemen greatly outnumber the paid firemen, even in our cities. And there is a county association which is in 62 counties in New York State, except for the metropolitan area—I should think we could get the information from those associations.

Is that not a feasible thing in all the States?

Mr. LAMBERT. It is not, to my knowledge. Some States—you mentioned New York—Washington State is another one that has registered volunteers and so forth. There is no problem. They keep good statistics. California also is in this area.

Mr. FISH. Your problem is the difference between people being on the roster and being active—I mean in terms of how many deaths have occurred, as an absolute figure.

Mr. LAMBERT. We have a grant from the national bureau to investigate the deaths of firefighters. This includes investigating the deaths of volunteer firefighters, as well as professional, in the area. The grant is involved with the International Association of Fire Chiefs, which represents a tremendous amount of volunteer chiefs, and ourselves representing the professionals. We have been trying to keep, use every vehicle available to us, so we are knowledgeable about any deaths that occur.

We are having a very difficult time. As a matter of fact, we are finding out deaths accidentally. In many cases, we are using a clipping service to keep up with that. So we have not been successful, I am sure, in covering all the deaths of volunteer firefighters.

Mr. FISH. There are some areas I would like to explore that the chairman has already gone into. I think it is important, in view of the problems we had in the past in this legislation, that we make a record on the issue of how, if the thrust of the legislation was restricted to death that was associated with a criminal act, that this would really

not be of any real benefit to you. And if I understand your testimony, Mr. Lambert, it is largely because, despite the fact that fires maybe have been set by arsonists, that the proof of this is extremely difficult; that often, the cause of the fire is not definitively determined, and that unless it was related to arson or sniping, would not be of any significant benefit to firemen.

Mr. LAMBERT. That is basically true.

Mr. FISH. The Justice Department, in their testimony yesterday, urged as an alternative that we look at the President's recent crime message to the Congress, and specifically that part that called for taking greater account of the needs of victims of crime. I do not know if you gentlemen on this panel are familiar with the testimony yesterday. Specifically, they are talking about victims of Federal crimes, and the testimony indicated that public service officers would not be barred from qualifying as beneficiaries under this proposal.

But I assume, here, we have the same problem. Since we are talking about crimes, going this route again would be no help to firemen.

Mr. WALLER. No help. Of course, it would broaden it for the civilians, as I interpret it.

Mr. FISH. I would assume you oppose this legislation. It simply would not be a substitute for what the bill before us—

Mr. WALLER. The State I am a resident of already has criminal compensation.

Mr. FISH. Could I ask you, at this particular point, before the enactment of this legislation, what provisions are there for the survivors of firemen killed in the line of duty?

Mr. WALLER. You mean at the local level? They vary so drastically, it is almost impossible to arrive at the plateau. We do make a pension profile. We have told the staff we will give them a copy of this pension profile, and from that we can determine how many have widow's coverage, how many have workmen's compensation coverage. It will be very difficult to bring it out in statistics that would be useful.¹

Mr. FISH. How were these pensions arrived at?

Mr. WALLER. They vary. Some are local ordinances. Most are State laws. I believe most are by a State act or local ordinance.

Mr. FISH. Do you know from your knowledge whether the State regulations, the local ordinances, apply to volunteer firemen? Or do they just apply to firemen employed by municipality?

Mr. WALLER. I know of only one State that provides—personally, I only know of one State that provides hospital and medical and death benefit, and a pension for volunteer firefighters.

Mr. FISH. We can assume that over a million volunteer firemen in the United States are simply not covered under any death benefits program?

Mr. WALLER. Yes.

Mr. FISH. There have been some suggestions that fall short of the death benefit lump sum proposed. I would like your comments on them. These are alternatives. One would be the purchase by the Federal Government of group insurance for public safety officers. Do you have any comment?

Mr. WALLER. I would not want to see that become a supplement for what legislation you have discussed. I have testified before this

¹ See appendix 5 at p. 171 for pension profile of International Association of Firefighters (include excerpts from IATF pension plan report).

committee a number of years back. Even with the threat of being greedy, my statement was that both would be legitimate and reasonable.

I would also say, the criminal act aspect—if that is the best that can come out of this Congress, then it certainly should have the insurance tied to it to take care of the other people who would get the insurance no matter where the death occurred, or what the cause was. I support both, selfishly.

Mr. FISH. Certainly, if the language that comes out of the Congress is restricted to the criminal act, you would believe this insurance would be lost. Another alternative would be providing grants to match State and local death benefits. I rather think you have almost answered that with respect to the volunteer firemen, because there are not any.

Mr. WALLER. All you would be doing in that kind of a case would be having one who has already something getting more than one who has nothing still getting nothing.

Mr. LAMBERT. In evaluating the pension profile, the date on that was 1973. It is amazing, the broad coverage that goes out throughout the United States. When a man is killed in the line of duty, his widow receives a return of the contributions back to a certain amount of pension 60 percent—with so much for each child. I think when you talk about all the people in the United States, or all the firefighters, plus the volunteers, you are talking about a wide variance of benefits to a group of people.

Mr. FISH. Thank you for that. Would anybody like to comment on this? Would the passage of this legislation before us aid in recruiting for the fire service?

Mr. WALLER. Definitely it would. Any improvement in the benefits, especially to the survivors of a firefighter, will aid in the recruitment of firefighters. If you can say to a man, today you are trying to hire him, and you say; all right, if you get killed in the line of duty, your widow will get 50 percent of your salary—that is probably about the norm for what the average widow would get. In addition to that, if you said your widow was going to get 50 percent, but the Federal Government will give her \$50,000 to pay off the mortgage and see the kids through school, I think it would improve recruitment.

Mr. FISH. Mr. Waller is an expert witness. We may not have him before us again. What are your views as to what some of the language in this bill means—you recall the way it is set up. The LEAA administrator determines that an eligible public safety officer has died as the direct and proximate result of personal injuries sustained in the performance of duty. The fireman would be actually or directly engaged in fighting a fire. I think that is pretty clear cut—or otherwise engaged in the performance of his duty where the activity is determined by the administration to be potentially dangerous to the firemen.

I wonder, if you could address yourself to that language, otherwise engaged in the performance of his duty or any activities determined by the administration to be potentially dangerous. Give us some examples as to what you think the coverage in that section means.

Mr. WALLER. Just recently, we had a building over here in Arlington that was under construction. It toppled down. I cannot remember how many were killed, but a lot of them were trapped. If a firefighter

on the rescue squad was in there, and another beam fell down and killed him, he would in our opinion be—at that time been engaged in, not fighting a fire, but certainly in a hazardous duty situation.

I think before the committee, the example was given of a child drowning in a pond, and a firefighter goes in to save the child. We have had it happen. I think at the last hearing, we just had this happen about a week ahead of the hearing. And that, in our opinion, would certainly be engaging in a duty that was hazardous. I think it would just broaden, besides the fire scene, it would broaden us to that rescue scene.

Recently, we had a firefighter out here in Montgomery County respond to a person overcome in a vault. Failure of the mask, and the firefighter lost his life. There was no fire there at all. He was in a rescue effort. It certainly was a hazardous situation.

Those are examples, Congressman, that we felt—and was discussed before—of what we are trying to get at, of how we are trying to extend this coverage.

Mr. FISH. Thank you very much for your help.

Mr. EILBERG. Congressman Russo?

Mr. RUSSO. Mr. Chairman, I just have a statement to make. In going over Mr. Waller's testimony on page 3, it indicates that we hear many platitudes and compliments about the great job public servants do. It is time, I think, that the Congress and the people of this country do something to show our gratitude. I wholeheartedly support this legislation, and I have no further questions.

Mr. EILBERG. Thank you very much, Mr. Russo. Mr. Russo is a former district attorney, and well versed with the problems of public safety officers. Mr. Sarbanes?

Mr. SARBANES. Thank you, Mr. Chairman.

Gentlemen, I want to thank you for a very helpful and very thoughtful statement on this question.

I would like to pursue the questioning that Mr. Fish was doing. I think it is important to get a good record with respect to this matter.

I think it is important to focus on this question of death as a result of a criminal act versus death in the performance of the line of duty.

You indicated one of the benefits of this would be to contribute to the morale of the personnel and be an attraction, at least a benefit, people would consider in entering the service and staying in the service. I think that is true.

I wonder what the impact on morale would be if you had a situation in which, because it was limited only to consequences of criminal act, if some men would have a \$50,000 benefit for their family if there was some disturbance involved with fighting a fire—whatever it may be, some tenuous reaching out for a criminal act—and other men, who may well have been exposed to much more serious danger, in terms of fighting the fire, and lost their lives but would be denied the benefit because you really could not make any contention that a criminal act had occurred. That is a distinction you would be drawing within the firefighting service.

I wonder what the impact on morale might be if such a distinction existed—

Mr. WALLER. One of the real difficult problems in the fire service is that we all live together, we work together, and we rely on one

another. Any time any kind of a situation is involved where you and I are riding on the back step of that rig, and just because of some kind of a situation like you have described very perfectly, your widow is going to have some benefits mine does not have, to us, we would rather not have that.

I have said this before, we would rather just not have that kind of legislation at all. It would be very destructive in morale in the fire service.

Mr. SARBANES. I think that is a thoughtful answer. I am quite concerned about that. The same thing, of course, applies with respect to the police and especially applies with respect to this distinction that the Justice Department was trying to make yesterday between Federal crimes and State crimes, which I think is a distinction that is totally unworkable.

In your statement, on page 2, I want to be sure I am clear on this. You say, "One last and final statistic, from 1963 to 1973, 919 firefighters met their death in the line of duty."

Mr. WALLER. I am glad you raised that point, because Walt says there has been a typographical error made, that this should have been 985. I will furnish the committee with the total for the years.

Mr. SARBANES. Nine hundred and eighty-five. Is that just paid firemen or all firemen?

Mr. LAMBERT. Professional firefighters who are members of our organization.

Mr. SARBANES. I see.

Mr. EILBERG. Just on that point, I would like to have clarified whether this is all deaths during any tour of duty. This committee, as you know, is not considering sitting in a fire station, while simply there, he has a heart attack.

Is that kind of death included?

Mr. LAMBERT. No. This is deaths during a fire, at the fire scene or rescue. This is not deaths in an occupational death or disease category.

Mr. SARBANES. Let me ask you, what percent of firefighter deaths in the line of duty, total nationwide, would you think that 985 figure represents?

Would that be half of such deaths, 80 percent of them?

Do you have any way of guessing?

Mr. LAMBERT. I do not have any idea. The Census Bureau came out with a total figure of people who work in the fire service in the United States as 394,000. However, coupled into that are the people who are associated with the fire service, the secretaries, the various categories, the mechanics and so forth. I am assuming that when you take on an average out of that, that you may come up with a figure that is close to 250,000 firefighters, totally. This is small departments, one man, maybe a chief, and so forth, throughout the United States. That is the closest assumption we could make, based on the figures of the Census Bureau.

Mr. SARBANES. I was just doing some calculations here. If, in fact, you pay \$50,000 to the survivors of 985 firefighters, that would be \$49,250,000.

Mr. LAMBERT. For 10 years.

Mr. SARBANES. That is right. Which means just under \$5 million per year, which, put in those terms—and you are talking about the

entire country—is not a large sum of money in relationship to the benefit that is being provided here and to the importance of this benefit to the morale of the force and to the families.

I went at those figures because I wanted to try to get some idea for the total number of deaths we are talking about, because a great tendency to project these figures over time and talk about them in rather large sums, but if you break them down into a yearly figure, it really becomes a much more manageable figure. I have not done the same thing yet for the police side of the thing.

This table you have furnished is extraordinarily helpful. Most people do not appreciate that the deaths per 100,000 in firefighting exceed by a significant margin the deaths per 100,000 in police work. You are really probably in the most—well, I had earlier seen a table in which you were in the most dangerous occupation. I see that deaths from mining now, on the later survey, now exceeds you. But I remember looking at some figures or the year before where firefighting was the most dangerous occupation.

Mr. LAMBERT. Right. In the two mine disasters, one in Idaho and one in West Virginia, in which 201 miners were killed—those two disasters raise it up. In the construction situation, the construction is raising up. It is raising up because of the deaths up there at Arlington, plus the Metro construction. It has got to be ridiculous; we have had, I think, 13 or 14 deaths in 1 year in Metro construction. These kinds of statistics will raise up and then they will average out lower as time goes on.

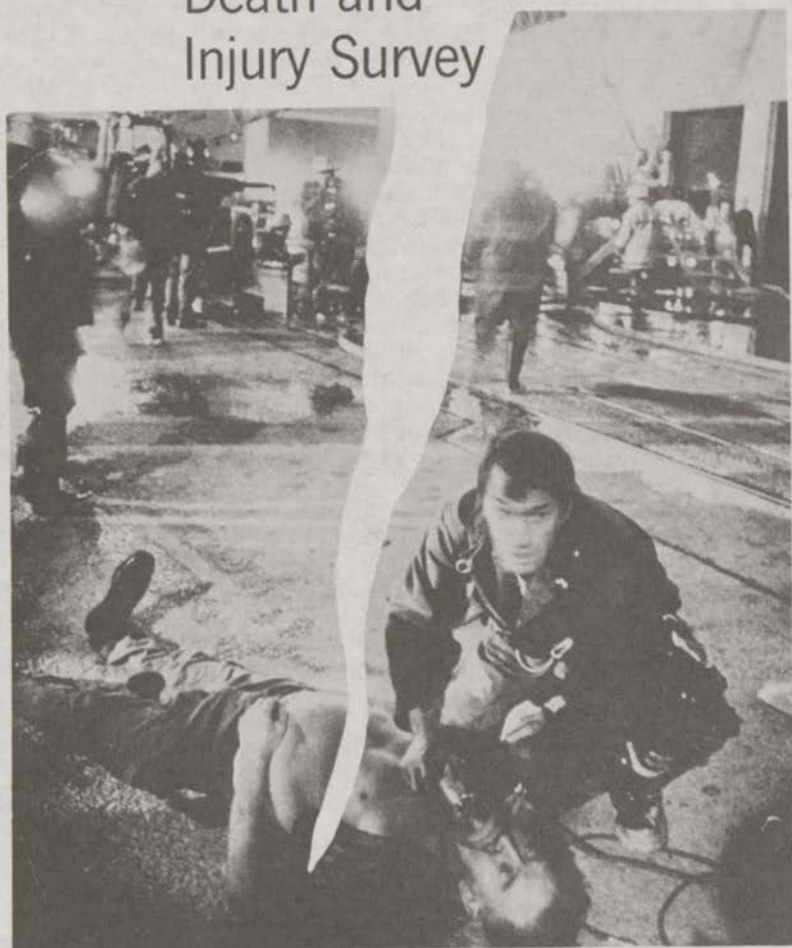
Mr. SARBANES. Thank you, Mr. Chairman.

Mr. EILBERG. Before releasing you, gentlemen, I would like to direct the record to be complete.

Mr. Waller, when I read your statement, you did not include the chart which Mr. Sarbanes has referred to. I would like the chart to be made a part of the record.

Without objection, that will be made part of the record, as well.
[The document referred to follows:]

1973
Annual
Death and
Injury Survey



1973

Annual Death and Injury Survey

For the first time in many years our latest IAFF death and injury survey shows that in certain areas, concerning fire fighters' health and safety, there has been a decrease in the number of incidents. In 1973 line of duty deaths decreased by 10 percent and injuries sustained in situations other than fire also were down. While these statistics are encouraging, they provide little room for rejoicing.



Fire fighters can still only count on a 50-50 chance of getting through a year without being injured. The statistics on fire fighters forced to change occupations or retire because of on-the-job injuries or occupational disease has continued to increase. Furthermore, many of the statistics on fire fighters' injuries and death have decreased only slightly below the 1972 figures.

Yet we are hopeful that the year 1973 marks the beginning of a downward spiral in the incidents of fire fighters' deaths and injuries.

I, for one, believe that the decreases we experienced in 1973—as slight as they may be—are a result in part of the IAFF's continuous efforts to create an awareness of the hazards connected with the fire service.

The 1973 figures are also reflective of the IAFF's participation and support of research projects in the area of safety and health!

We must all realize that although we have seen some decreases, the death and injury figures are still disastrously high. If we are ever to see the fire service relatively free of death and injury we must continue our efforts.

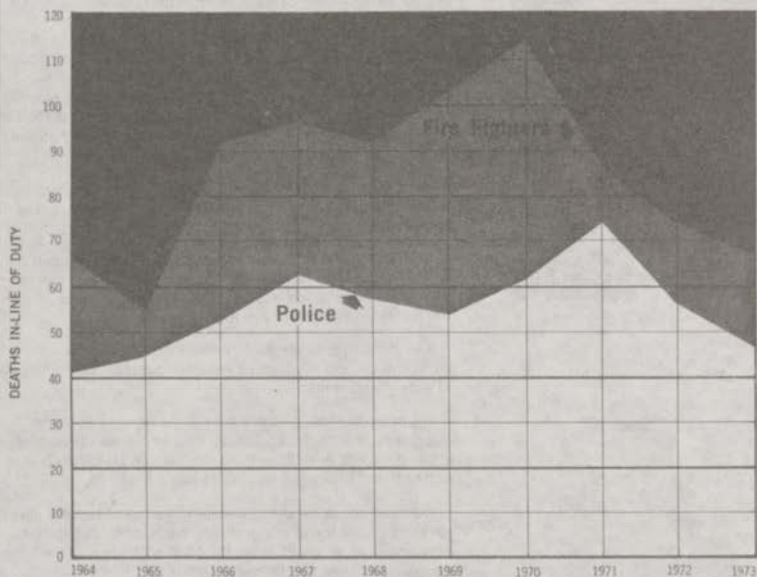
We must not allow these declining statistics to be a signal for us to sit back and congratulate each other, but rather let them serve as an impetus for an even more vigorous campaign against fire fighters' deaths and injuries.

Wm. Howard McClellan

The vast majority of reported injuries—48,825—were sustained at the scene of a fire. The rest came while responding to or returning from alarms, during training, at the fire station, and from other work-related causes. A total of 768 fire fighters suffered on-the-job injuries serious enough to force them to seek retirement.

Of those injuries suffered at the scene of a fire, 25.8 percent were sprains and strains; 17.4 percent, cuts; 9.7 percent, inhalation of toxic gases; 8.7 percent, burns;

Fire Fighter and Police Deaths in Line of Duty Per 100,000 Employees — 1964-1973



This graph illustrates Fire Fighter and Police deaths per 100,000 workers. Here it can be clearly seen that, contrary to a large proportion of public opinion, the life hazard attached to fire fighting is much greater than that attached to police work. On the average, from 1964 thru 1973, there were 83 deaths for every 100,000 Fire Fighters, compared with 55 deaths for every 100,000 Police Officers.

SOURCES: Police figures from "Crime in the United States, Uniform Crime Reports" by the FBI; Fire Fighter figures from Fire administration records as reported to the IAFF.



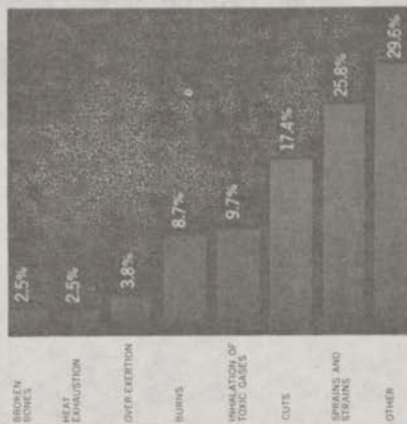
3.8 percent, over-exertion; 2.5 percent, heat exhaustion; 2.5 percent, broken bones; and 29.6 percent, other causes.

Among the causes of occupational injuries was "individual violence" (harassment), which resulted in 401 reported injuries last year.

There were some encouraging statistics uncovered by this survey and for the first time in many years we can see a decrease in the number of deaths and injuries.

The 111 deaths from occupational diseases represent a 16 percent decrease over the 1972 figure. Furthermore, the number of fire fighters forced to change occupations or retire

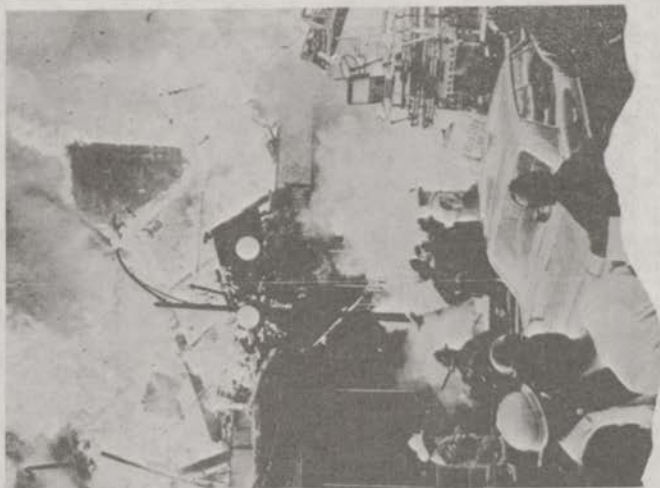
Percentages of Specified Fire Fighter Injuries — 1973



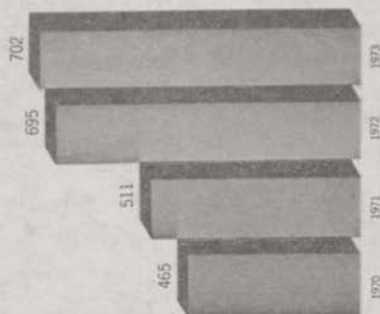
*Injuries sustained while at scene of a fire.

There were 42,438 injuries sustained by fire fighters in 1973. The majority of these injuries occurred while at the scene of a fire and the majority were sustained while at the scene of a fire and the majority were sustained while at the scene of a fire and the majority were sustained while at the scene of a fire.

SOURCE: Fire Administration Reports.



Fire Fighters Forced to Leave Department Because of Occupational Diseases



Fire fighters forced to leave their departments, or other reasons, because of occupational diseases totaled 702 in 1973. Of this number 499 had heart disease and 115 suffered lung damage. Among 111 fire fighter deaths from occupational diseases in 1973, 75% were due to heart disease, with 11% were due to lung disease.

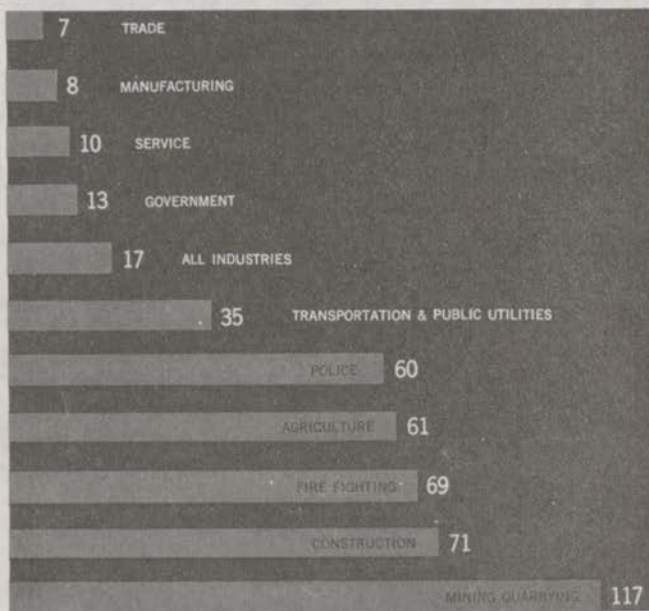
SOURCE: Fire Administration Reports.

because of occupational disease increased only 1 percent to 702. Of these, 499 had heart diseases, 115 had lung diseases and the remainder suffered other types of ailments.

SOME OTHER SIGNIFICANT FINDINGS OF THE SURVEY INCLUDED:

- There were 8,112 injuries sustained at fire stations last year, a decrease of 33 percent.
- Injuries sustained going to and returning from a fire totaled 3,607, a decrease of 8 percent.
- False alarm related injuries totaled 202, a decrease of 44 percent.
- The number of men forced out of fire fighting by on-the-job

Accidental Work Deaths Per 100,000 Workers — 1973



SOURCES: "Accident Facts, 1974," a publication of the National Safety Council. Police figures are computed from "Crime Report" of the FBI. Fire fighter figures are as reported to the IAFF by Fire Administrations.



Injuries totaled 768, constituting an 8 percent increase.

While there was some decrease in the statistics it is important to note that the combined total of all injuries suffered by fire fighters did not decrease.

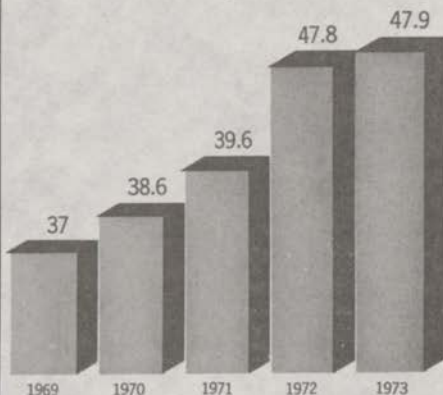
There were 62,619 reported injuries which represented an injury rate of 47.9 per 100 fire fighters. There was almost one injury for every two fire fighters in 1973. In the last 5 years fire fighter injuries have increased from 37 per 100 workers to the staggering 47.9 per 100 workers.

A total of 201 professional fire fighters lost their lives in on-the-job accidents or from occupational diseases in 1973.

There were 90 deaths of fire fighters in the line of duty



Fire Fighter Injuries Per 100 Workers



Responding Government Units reported 62,619 total injuries. This figure computed with the total number of respondents equals a disastrously high rate of 47.9 fire fighter injuries per 100 workers. This allows the fire fighter only slightly better than a 50-50 chance of making it through the year without being injured. If we are to seek relief from this astounding injury rate management and labor must work together. The establishment of a Joint Safety and Health Committee which would implement and monitor a safety and health program is a must. The entire fire service has to confront this problem immediately if there are to be any meaningful reductions in injuries and deaths in the future.

SOURCE: Fire Administration Reports.

last year. This averaged out to 69 on-the-job deaths per 100,000 fire fighters, making fire fighting one of the most hazardous types of employment in the nation.

The 69-per-100,000 fire fighting death rate compared to 49 deaths per 100,000 for police. It is far higher than the 17 per 100,000 for all industries, and 8 per 100,000 in the manufacturing industry.

In the 10 years ending in 1973, fire fighters suffered an average of 83 deaths per 100,000, compared to 55 deaths for every 100,000 policemen. These figures are especially significant in view of the fact that the decade includes those years during which violence became a rising national concern in the U.S.

A total of 1658 government units, comprising 156,604 employees were surveyed for the 1973 *Death and Injury Survey*, for an 83 percent response rate. The government units responding constituted 130,532 employees.



Mr. EILBERG. Thank you, gentlemen. This has been one of the most enlightening sessions that we have had. You have made a real contribution here this morning. We are deeply grateful to you.

Mr. WALLER. Thank you very much.

[The prepared statement of Mr. Jack Waller follows:]

STATEMENT OF JACK A. WALLER, LEGISLATIVE REPRESENTATIVE, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO

On behalf of our membership, I wish to express our deep appreciation to Chairman Eilberg and the Members of the Subcommittee for scheduling hearings on this legislation which we feel is so vital and necessary to maintain a viable public safety organization in the hard pressed municipalities of this Nation. I also wish to thank the approximately 140 members of the House of Representatives who have introduced or co-sponsored legislation in the past that would provide, in one form or another, compensation for Fire Fighters who are totally disabled in the line of duty and provisions for their survivors in the event of death in the line of duty.

I note that some of the legislation that has been introduced is written to cover only one segment of the public safety departments. It is the strong feeling of the International Association of Fire Fighters that legislation of this nature should be broad enough in scope to provide protection for all public safety officers, the guards in correctional institutions and the members of the judiciary when they die in the line of duty.

The argument supporting this coverage is written daily on the front pages of the newspapers throughout this Nation and TV media. There is no segment of the protective force of this Nation who represent the establishment that are free from potential daily death and injury. I need only cite to you that between 1960 and 1975 fifty (50) Fire Fighters were killed in civil disorders or during acts of civil disturbance or while being harassed. This does not include the many Fire Fighters who fall victim to the flames started by an arsonist or to the many members of our organization who are killed or maimed responding to an illegal false alarm. It is the firm belief of the International Association of Fire Fighters that Federal compensation should be given to survivors of any public safety officer who is killed in the line of duty. In the year of 1973, for every 100,000 Fire Fighters employed in the United States 69 paid the supreme sacrifice while fighting fire. Another 111 per 100,000 employed died from occupational diseases, such as heart and respiratory ailments. In the same year 47.9 Fire Fighters were injured for every 100 employed. The facts are that the statistics show that in 1973 the Fire Service obtained the dubious distinction of having more of its members killed per 100,000 workers than almost any other occupation. Mining and rock quarrying and construction had had a larger toll.

One last and final statistic, from 1963 to 1973, 919 Fire Fighters met their death in the line of duty. This statistic was compiled by surveying approximately 170,000 Fire Fighters. (Death and Injury Survey Attached).

We support the philosophy of a lump sum grant for the surviving families of public safety officers killed in the line of duty. This legislation should not restrict to those who lose their lives because of a criminal act. It is difficult to distinguish the needs of survivors of Fire Fighters who lose their lives in a heroic rescue than those who die from a criminal act.

It becomes more evident, as time moves on, that the true responsibility for the protection of the public safety officers and their dependents lies within the jurisdiction of the Federal Government. The recent attempted assassination of a President once again established the mobility of the people of America. The individuals who perpetrate criminal acts of the type that are covered by this legislation are very seldom a local problem. The assassin, the arsonist, the perpetrator of civil disorders, the bomb terrorist, are almost without exception imports. The perpetrator of any of these horrendous crimes may well have that same day been on the other side of this Nation and if successful in his crime be back across the Nation before nightfall. The time has come when public safety officers of this Nation are in dire need of a boost in morale and there is no better way that this could be obtained than by having the Federal Government enact a type of legislation that is presently before this Committee.

I can assure you that it would bring back to the Fire Fighter and Police Officer the feeling of being needed and of being appreciated by those people whose lives and property they strive daily to protect. I feel positive that the benefits derived by the people of this Nation from the enactment of such legislation would far offset the cost factor involved.

It is very reassuring to on numerous occasions note in the Congressional Record the compliments and platitudes directed toward public safety officers of this Nation. Mr. Chairman, and Members of the Committee, today you have the opportunity to do something truly meaningful for the people engaged in public safety work and the International Association of Fire Fighters recommends to you that your Committee favorably report H.R. 3544.

Mr. EILBERG. Next is Mr. Ordway P. Burden, chairman of the Hundred Clubs Informational Council.

Mr. FISH. Mr. Chairman, it is a great deal of pleasure to introduce Mr. Ordway P. Burden of New York, the founder of the Hundred Clubs Informational Council. Mr. Burden has given totally unselfishly of his time and effort in this endeavor, the main purpose of which is to provide some security and support for the survivors of police officers. In this connection, I would note that Mr. Burden, therefore, is highly qualified to testify before us this morning on this issue of death benefits for survivors.

Mr. EILBERG. Mr. Burden, I welcome you here this morning on behalf of the committee, and I met you a few weeks ago at the luncheon of the International Brotherhood of Police in Boston. I was most impressed with the effort that you are making that you explained to me.

I particularly would congratulate you as a total volunteer in this effort, and we know from your experience you have something to say. I have read your statement and know that it is a very comprehensive one. I might add, also, I know you have missed your plane and that being the case, we could—and since the statement is quite long—make the statement part of the record. You are free to summarize and speak extemporaneously if you wish to do so.

Mr. BURDEN. Missing the plane is insignificant, compared to what I can contribute to the work of the committee. I have a four-page summary of my statement. Perhaps, it would be better if I read that initially. Then you could follow with questions.

Mr. EILBERG. Let us place the full statement in the record. I read it last night. I think it is extremely interesting. Without objection, the full statement will be set in the record. You may proceed.

[The prepared statement of Mr. Burden follows:]

STATEMENT OF ORDWAY P. BURDEN, CHAIRMAN, HUNDRED CLUBS INFORMATIONAL COUNCIL

Mr. Chairman, Mr. Fish and Members of the House Judiciary Committee: Thank you for the opportunity to appear and testify on H.R. 3544, The Public Safety Officers Death Benefits Act of 1975. I am testifying as Chairman of the Hundred Clubs Informational Council—a voluntary non-profit association of some of the 57 Hundred Clubs from throughout the nation.

Hundred Clubs are local voluntary associations of leading businessmen and other public spirited citizens who have organized on a non-profit basis for charitable activities. While many of the 57 clubs differ in detail, the thrust of the groups is to provide some financial security to the spouses and children of public safety officers slain in the line of duty. Hundred Clubs are not social clubs but vehicles for the community to meet its responsibilities to public servants who serve them in particularly dangerous capacities.

The first such Hundred Club was begun in 1952 when a Detroit citizen, moved by the killing of a police officer, wrote to 100 friends, urging them to donate to a fund for the officer's widow. Thus he was able to present the widow with \$7,800. That led to permanent formation of a club with a standing treasury rather than having to rely on individual efforts each time a crisis arose. From that beginning other clubs were created, each composed of public-spirited people who raised

money through dues, initiation fees and contributions. That money provides financial assistance to surviving members of families of public safety officers who die in the line of duty.

Within 24 hours of such a tragedy most clubs are at the home of the public safety officer to present the widow with a check, generally at least \$1,000, to cover immediate expenses. Some Hundred Clubs assume the family's mortgage obligations and pay off all department store and other debts. Some provide scholarships for the children of the deceased officer.

Most clubs have limited memberships, i.e., 100, 200, etc. although there are Hundred Clubs with more than 1,000 members. They are known by other names, such as Two Hundred Clubs, Shield Clubs, Bluecoats, Backstoppers, Heroes, Inc., but they share a common goal, providing financial benefits to the widows and children of slain public safety officers.

Before discussing the details of Hundred Club coverage as well as state and local coverage for lump sum death benefits I believe the Committee would find it interesting and enlightening to examine a profile of a slain public safety officer. The facts and figures set forth below are derived from the Federal Bureau of Investigation's Uniform Crime Reports.

During the years 1962-1975 there have been one thousand one hundred ninety one (1,191) public safety officers¹ slain in the line of duty. The yearly figures are set forth below:

Year:	Number of deaths
1962-----	48
1963-----	55
1964-----	57
1965-----	53
1966-----	57
1967-----	76
1968-----	64
1969-----	86
1970-----	100
1971-----	129
1972-----	116
1973-----	134
1974-----	132
1975-----	84 as of 8/31/75 ²

Available information shows that over the last ten (10) years attempting arrests—with two hundred forty four (244) deaths—has been the most hazardous duty of a public safety officer followed by robberies in progress—two hundred (200) deaths and "routine" disturbance calls—one hundred sixty three (163) deaths. A complete breakdown by activity at the time of death for the Years 1965-1975 follows:

244-----	Attempting arrests
163-----	Responding to disturbance calls
200-----	Robberies in progress
99-----	Traffic stops
84-----	Ambush
72-----	Suspicious persons investigation
68-----	Burglaries in progress
50-----	Handling of prisoners
38-----	Mentally deranged persons
13-----	Civil disorders

Ninety-five (95) percent of the officers killed during the period 1970-74 were killed with firearms. Seventy one (71) percent of the weapons used were handguns. A complete breakdown for the years 1970-74 follows:

¹ Firefighters are excluded from statistical analysis due to a lack of sufficient information.

² All references to 1975 figures will include information as of August 31, 1975.

PUBLIC SAFETY OFFICERS KILLED IN THE UNITED STATES AND PUERTO RICO BY TYPE OF WEAPON, UNIFORM CRIME REPORTS (FBI)

	1970	1971	1972	1973	1974	Total
Handgun.....	73	97	77	93	95	435
Rifle.....	8	16	16	21	12	73
Shotgun.....	12	11	18	13	21	75
Total firearms.....	93	124	111	127	128	583
Knife or cutting instrument.....	3	2	3	2	1	11
Bombs.....	2		1			3
Personal weapons.....	1	2				3
Other (clubs, etc.).....	1	1	1	5	3	11
Grand total.....	100	129	116	134	132	611

Returning to a 1965-75 statistical base the geographical distribution of public safety officer deaths is as follows: The southern states (Ala., Ark., Del., Fla., Ga., Ky., La., Md., Miss., N.C., Okla., S.C., Tenn., Tex., Va., and W. Va.) accounted for four hundred twenty three (423) officers killed. The north central states claimed the lives of two hundred sixty five (265) policemen (Ill., Ind., Iowa, Kan., Mich., Minn., Mo., Neb., N.D., Ohio, S.D., and Wisc.). Western states (Alaska, Ariz., Calif., Colo., Hawaii, Ida., Mont., Nev., N.M., Ore., Utah, Wash., and Wyo.) reported one hundred seventy seven (177) deaths of officers. The northeastern states (Conn., Me., N.H., R.I., Vt., N.J., N.Y., Penna., and Mass.), one hundred forty nine (149). Puerto Rico and Guam recorded seventeen (17) officers killed.

Although the 1975 information is not yet available we do know something about those who kill public safety officers. Twenty (20) percent of those who killed public safety officers were on parole. Seventy six (76) percent of those who murdered officers had a prior arrest for criminal activity; Fifty nine (59) percent had prior arrests for crimes of violence; Eighteen (18) percent had prior arrests for weapons charges; Twelve (12) percent had prior arrests for narcotics; and Nine (9) percent had prior arrests for police assault.

With the Chair's indulgence I would like to delve into one year 1974—in detail so that the Committee might have an even better picture of the problem it is addressing.

In 1974, one hundred thirty two (132) local, county, state and federal law enforcement officers were killed in the line of duty. Forty three (43) of those officers—almost a third—were serving in our major urban cities with populations in excess of two hundred and fifty thousand (250,000) including six (6) from the City of Chicago. Interestingly, cities with a population of under ten thousand (10,000) were next with fifteen (15) deaths. A complete analysis by population group is set forth below:

<i>Population Group</i>	<i>Total</i>
Group I—Cities over 250,000.....	43
Group II—100,000 to 250,000.....	10
Group III—50,000 to 100,000.....	7
Group IV—25,000 to 50,000.....	5
Group V—10,000 to 25,000.....	8
Group VI—Under 10,000.....	15
Rural counties.....	10
Suburban counties.....	10
State Police and Highway Patrol.....	18
Puerto Rico.....	4
Federal Agencies.....	2
Total.....	132

The Northern industrial states of Illinois and Michigan were the most dangerous with each recording eleven (11) law enforcement deaths in 1974. However, the South lead the geographical regions with fifty seven (57) deaths. Saturday with twenty five (25) deaths was the most dangerous day to be a public safety officer and one (1) to two (2) A.M. with fifteen (15) deaths was the most dangerous hour. A full forty seven (47) deaths or almost thirty six (36) percent of all public safety officer deaths accrued between the hours of nine (9) P.M. and three (3) A.M.

The most dangerous activities for public safety officers in 1974 were responding to routine disturbance calls (family quarrels, man with gun, etc.) which were responsible for twenty nine (29) deaths; robberies in progress with twenty five (25) deaths; and attempting arrests—twenty eight (28) deaths—for other than burglaries and robberies. In ninety nine (99) of the deaths the offender killed the officer within a distance of ten (10) feet.

In 1974 one hundred twenty eight (128) of the one hundred thirty two (132) public safety officer deaths resulted from firearms.

The profile of those who killed public safety officers in 1974 is fairly clear. Officers are most likely to be killed by a man of either race aged twenty (20) to thirty (30) who has a prior criminal arrest record. The full profile is set forth below:

PROFILE OF OFFENDERS, UNIFORM CRIME REPORTS—1974 (FBI)

	Total	Percent of total
Total known offenders.....	167	
Under age 18.....	10	6
From 20 to 30 years of age.....	83	50
Male.....	162	97
Female.....	5	3
White.....	87	52
Negro.....	79	47
Other race.....	1	1
Prior criminal arrest.....	125	75
Convicted on prior criminal charge.....	92	55
Prior arrest for crime of violence.....	68	41
Convicted on criminal charges-granted leniency.....	58	35
On parole or probation at time of killing.....	32	19
Arrested on prior murder charge.....	10	6
Prior arrest on narcotic drug law violation.....	29	17
Prior arrest for assaulting policeman or resisting arrest.....	0	5
Prior arrest for weapons violation.....	44	26

The use of alcohol has been a significant factor in these killings. Of the total one hundred sixty seven (167) known assailants in the police killings, twenty two (22) men or thirteen (13) percent were under the influence of alcohol. Some seventeen (17), or ten (10) percent were narcotics users and eleven (11), or seven (7) percent, were narcotics dealers. Twelve (12) of the one hundred sixty seven (167), or seven (7) percent, had been convicted of prior possession of a controlled substance. Six (6) of them were mental cases. And twenty eight (28) of the officers, or twenty one (21) percent of those slain, knew their assailants.

Even more important than a profile of the offenders is a profile of the slain public safety officer for in most cases the death benefits their spouses and dependents receive are directly tied to the number of years in service.

Twelve (12) percent of the public safety officers slain in 1974 were under age twenty five (25). Thirty one (31) percent were aged twenty five (25) to thirty (30). Officers over age thirty (30) accounted for fifty seven (57) percent of the 1974 deaths. The officers killed in 1974 had a median years of law enforcement service of only five years which means their pension benefits would be minimal at best. In 1974 a full seventeen (17) percent of the officers had less than one (1) year service when killed. Forty five (45) percent of those killed had less than five (5) years service while another thirty three (33) percent had only five (5) to ten (10) years of service. Only twenty two (22) percent of the officers killed in 1974 have over ten (10) years of service.

The critical importance of this information becomes apparent when one discovers that no city with a population of over one million (1,000,000) allows a pension to vest within five (5) years and only one (1), Philadelphia allows its pensions to vest within ten (10) years.³

Of our major cities with a population between five hundred thousand (500,000) and a million (1,000,000) only one—St. Louis allows a pension vesting within the first ten (10) years of service. Of American cities with a population between two hundred fifty thousand (250,000) and five hundred thousand (500,000) only one, Las Vegas allows for pension vesting within the first ten (10) years and again none with the first five (5) years. Thus, in 1974 only three (3) cities with a population in excess of two hundred fifty thousand allowed pension vesting with the first

³ This and all other information on pension vesting is taken from the Fraternal Order of Police Survey of Salaries and Working Conditions of the Police Departments in the United States (24th Edition). pp. 1-28.

ten (10) years of service and only one of those within the first five (5) years notwithstanding the fact that forty three (43) public safety officer deaths occurred in cities of such size in 1974 and the median age of service of the officers slain in 1974 was five years. More importantly only twenty two (22) percent of the slain officers in 1974 had more than ten (10) years of service.

In cities with a population between one hundred thousand (100,000) and two hundred fifty thousand (250,000) only two (2) Richmond, Va., and Berkeley, Calif., allow pension vesting within five (5) years and only four (4) Baton Rouge, La., Columbus, Ga., Livonia, Mich., and Savannah, Ga., allow for pension vesting within ten (10) years.

The story in cities with a population of fifty thousand (50,000) to one hundred thousand (100,000) is not much better. Four (4) cities allow pension vesting within five (5) years and three (3) within ten (10) years. In cities with a population of twenty five thousand (25,000) to fifty thousand (50,000) the situation is only marginally better. There fourteen (14) cities allow pension vesting within ten (10) years and ten (10) allow it within five (5) years. Of the numerous cities and towns with a population of ten thousand (10,000) to twenty five thousand (25,000) only eight (8) allow for pension vesting within the first five (5) years of service and twenty seven (27) within ten (10) years. Of towns and cities with a population of under ten thousand (10,000)—the population size where more officers were killed than any other except cities in excess of two hundred fifty thousand (250,000) population—only one, Hales Corner, Wisc., allows pension vesting within the first five (5) years and only six (6) allow for pension vesting within the first ten (10) years.⁴

As if the above information were not discouraging enough a 1971 study⁵ of public safety officer death benefits and pensions showed how meager those death benefits from pensions are even where they have vested. The study covered some forty one (41) cities of varying size and the results are set forth below.

City	Death benefits: Pensions		
	Widow	Surviving children	Other
Atlanta, Ga.	50 percent of pension	If no widow, same as widow until age 18.	None.
Baltimore, Md.	37.5 percent of pension	If no widow, same as widow; more if widow is alive.	Do.
Birmingham, Ala.	40 percent of employee's final average salary (death in line of duty).	\$10 a month per child until age 18.	Do.
Boston, Mass.	66½ percent service connected.	\$312 per years to age 18.	Do.
Buffalo, N.Y.	State plan varies; city, 1 years salary plus \$100 a month.	State plan varies; city, \$1,000 each child under 18.	State plan varies, no city plan.
Cincinnati, Ohio	\$140 per month	\$40 per month	
Cleveland, Ohio	\$135 per month	\$50 per month to age 18.	
Dallas, Tex.	25 percent base salary plus 25 percent longevity.	25 percent base salary plus 25 percent longevity.	25 percent base salary plus 25 percent longevity if totally dependent.
Denver, Colo.	½ of active officers base pay	\$30 for 1st child, \$15 each additional to age 17.	
El Paso, Tex.	½ of salary	½ salary until age 16 no more than 50 percent for family.	½ for dependent mother or father.
Forth Worth, Tex.	Same formula as member for unremarried widow, minimum \$100.	\$50 to each dependent child.	Same formula as member for unremarried widow, minimum, \$100.
Honolulu, Hawaii	50 percent of average F.C. less workmen's compensation award.	Applies to minor children under age 18.	Compensation award to dependent parents.
Indianapolis, Ind.	30 percent of 1st grade patrolman's salary with 10 years until remarriage.	10 percent of 1st grade patrolman's salary with 10 years service to age 18.	20 percent of 1st grade patrolman's salary with 10 years service to dependent parents.
Jacksonville, Fla.	33½ percent of salary	\$15 per month per child to age 18.	None.
Kansas City, Mo.	25 percent of F.C. until remarriage.	\$25 per month each to age 18.	If no spouse or children contribute return to beneficiary.

⁴ This is not a fluke statistic. Figures for the first eight (8) months of 1975 show the same pattern. Towns with a population of less than ten thousand (10,000) rank second in number of public safety officer deaths.

⁵ Kansas City, Missouri Police Department, General Administrative Survey, Planning & Research Unit, November, 1971.

City	Death benefits: Pensions		
	Widow	Surviving children	Other
Long Beach, Calif.	Non-service-retirement contribution plus $\frac{1}{2}$ year salary service 50 to 75 percent violent condition.	Included with widow.	
Louisville, Ky.	70 percent of earned retirement.	$\frac{1}{4}$ of widows.	None.
Memphis, Tenn.			
Miami, Fla.	50 percent of salary (service connected).	50 percent of salary (service connected).	50 percent of salary (service connected) to dependent mother or father.
Minneapolis, Minn.	18/80ths.	6/80ths.	Maximum of 32/80ths.
Nashville, Davidson, Tenn.			
Newark, N.J.	50 percent if active; 25 percent after retirement.		Dependent parents.
New Orleans, La.	50 percent of salary for life.	\$50 per month, maximum 4 children.	\$50 per month to mother, if no spouse.
Norfolk, Va.	None.	None.	None.
Oakland, Calif.	50 percent of member's salary if service connected.	25 percent of widow's allowance for 1; 40 percent for 2; 50 percent for 3 or more.	If dependent parents amount determined by pension board.
Oklahoma City, Okla.	After 15 years total years service taken as percent of 20 years.	(*)	
Omaha, Nebr.	Varies.	Varies.	Varies.
Phoenix, Ariz.	$\frac{1}{2}$ pension plus industrial benefits if service connected.	$\frac{1}{2}$ each child until age 21.	None.
Pittsburgh, Pa.	50 percent of pension.	25 percent to widow's pension.	Parents if dependent.
Portland, Oreg.	50 percent of patrolman's salary.	25 percent 1st child, 15 percent 2d child, 10 percent all other.	
St. Louis, Mo.	L.D.D.—50 percent average—F.C. natural—25 percent average F.C.	10 percent average F.C. to each, maximum of 3 to age 18; age 22 if college.	If no widow or children refund contributions to heir.
St. Paul, Minn.	20 percent patrolman's salary.	5 percent patrolman's salary per child under age 18.	None.
San Antonio, Tex.	50 percent of high 5 years salary less than 5 years service, average for all years.	If no widow, 25 percent of base salary and longevity.	(*)
San Diego, Calif.	50 percent of F.C. (high 3 years); pension for life if LOD death.	(*)	None.
San Francisco, Calif.	LOD—full salary until retirement date, then pension.	Full salary to children LOD under age 21.	
San Jose, Calif.	0.375 times final base pay.	0.25 times final base pay for each child under 18 years, maximum, 75 times FCP per family.	None.
Seattle, Wash.	50 percent of salary.	50 percent plus 5 percent per child under age 18.	
Toledo, Ohio.	\$130 monthly.	\$45 monthly.	\$45 monthly for dependent parent.
Tulsa, Okla.	Same as husband before death.	Same as father if under age 18 and mother remarries or expires.	None.
Washington, D.C.	40 percent of salary.	(*)	Designated beneficiary.

A word of caution is in order before too many conclusions are drawn from the above information. We have no way of knowing from this information if pension provisions automatically apply in the case of a line of duty death regardless of time in service or if other benefits including insurance or legislated benefits might exist.

To resolve this dilemma I undertook the task of contacting the one hundred three (103) jurisdictions in which officers were slain in 1974 to ascertain exactly what *lump sum cash payments* were provided in those cases. While a more detailed study of all death benefits from whatever source would have been preferable, time constraints would not permit that undertaking. Such a detailed study would also include pension plans and insurance coverage plus a review of "knockout clauses" i.e. prohibition of double collection. The Committee should note that while such information would be helpful it is beyond the scope of the legislation contained in H.R. 3544. The problem H.R. 3544 addresses is that of *lump sum cash benefits* that apply directly as a result of a line of duty death and not employment benefits that accrue regardless of the circumstances of death.

The results of my study are as follows:

CITY AND STATE OR LOCAL LUMP SUM CASH PAYMENT FOR LINE OF DUTY VIOLENT
DEATH EXCLUSIVE OF PENSIONS AND INSURANCE

Boston, Mass.—\$50,000 from State.
 Union City, N.J.— $\frac{3}{4}$ × Salary from City.
 Buffalo, N.Y.—\$6,000 from City.
 Mt. Vernon, N.Y.—None.
 New York, N.Y.—\$25,000 from City.
 New York State Police—None.
 Yonkers, N.Y.—City—1 yr. Salary (optional).
 Chester, Pa.—\$10,000 from City.
 Philadelphia, Pa.—\$10,000 from City.
 Pittsburgh, Pa.—None.
 Chicago, Ill.—\$20,000 from State, 1 yr. salary from City, plus up to \$15,000
 for dependents.
 Downers Grove, Ill.—\$20,000 from State.
 Ill. Central R.R. Ill.—Not Available.
 Penn. Central R.R., Ill.—Not Available.
 St. Anne, Ill.—\$20,000 from State.
 Winnebago County, Ill.—\$20,000 from State.
 Crawfordville, Ind.—None.
 Gary, Ind.—None.
 Indianapolis, Ind.—None.
 South Bend, Ind.—None.
 Dearborn, Mich.—None.
 Detroit, Mich.—\$10,000 from City.
 Grand Rapids, Mich.—\$12,500 from City.
 Highland Park, Mich.—\$50,000 from City.
 State Police, Mich.—None.
 Troy, Mich.—None.
 Wayne, Mich.—None.
 Cincinnati, Ohio—\$1,000 from City.
 Cleveland, Ohio—None.
 Dayton, Ohio—None.
 Lima, Ohio—None.
 Milwaukee, Wisc.—\$25,000 from City.
 Sedgwick County, Kans.—None.
 Oronogo, Missouri—None.
 Omaha, Neb.—None.
 District of Columbia—\$50,000 from City.
 Crestview, Fla.—None.
 Dade County, Fla.—None.
 Delray Beach, Fla.—None.
 Escambia County, Fla.—None.
 Ft. Lauderdale, Fla.—None.
 Game & Fresh Water Fish Comm., Fla.—None.
 Riviera Beach, Fla.—None.
 State Highway Patrol, Fla.—None.
 Atlanta, Ga.—None.
 Camden County, Ga.—None.
 College Park, Ga.—None.
 Madison County, Ga.—None.
 Polk County, Ga.—None.
 Towns County, Ga.—None.
 Baltimore, Md.—None.
 Baltimore, Wash., International Airport—None.
 Canton, N.C.—None.
 Cumberland County, N.C.—None.
 Greensboro, N.C.—1 yr. Salary.
 State Highway Patrol, N.C.—None.
 Wildlife and Marine Resources Dept., S.C.—None.
 Charleston County, S.C.—None.
 Columbia, S.C.—None.
 Forest Acres, S.C.—None.
 Keeshaw County, S.C.—\$10,000 from County.
 Perry, S.C.—None.

State Highway Patrol, S.C.—None.
 Carroll County, Va.—\$10,000 from State.
 Chesapeake, Va.—\$10,000 from State.
 Lincoln, Ala.—\$10,000 from City.
 State Highway Patrol, Ala.—\$10,000 from State.
 Hernando, Miss.—None.
 Warren County, Miss.—None.
 Waveland, Miss.—None.
 Clarksville, Tenn.—None.
 Hazen, Ark.—None.
 New Orleans, La.—None.
 Port of New Orleans Harbor, La.—None.
 Dewar, Okla.—None.
 Oklahoma City, Okla.—None.
 Okmulgee County, Okla.—None.
 Alice, Texas—\$20,000 from State.
 Dallas, Texas—\$20,000 from State.
 Harris County, Texas—\$20,000 from State.
 Mesquite, Texas—\$20,000 from State.
 Orange, Texas—\$20,000 from State.
 Texas City, Texas—\$5,000 from City plus \$20,000 from State.
 Texas Dept. of Public Safety—\$20,000 from State.
 Mohave County, Ariz.—None.
 Tucson, Ariz.—None.
 United States Custom Service, Ariz.—None.
 State Fish & Game Dept., Mont.—None.
 Thompson Falls, Mont.—None.
 State Highway Patrol, Utah—None.
 Ketchikan, Alaska—Balance of Years Salary (Optional).
 State Police, Alaska—None.
 Los Angeles, Calif.—None.
 Oakland, Calif.—None.
 Riverside, Calif.—None.
 Riverside County, Calif.—None.
 Sacramento, Calif.—City—6 mo. full sal.
 State Police, Calif.—State—6 mo. full sal.
 Union City, Calif.—12½% to 25% (depending on no. of dependents) above regular pension with automatic audit for at least 20 yrs. of service time.
 Yuba County, Calif.—None.
 Portland, Ore.—City—1 yr. full sal. tax-free.
 State Police, Wash.—None.
 Puerto Rico—Not Available.

In sixty five (65) out of the one hundred three (103) jurisdictions (or 63%) that experienced a public safety officer killed in the line of duty in 1974 no lump sum cash payments exclusive of whatever insurance or pension benefits existed were made. In many of those cases widows and children have survived because friends or fellow officer families have pooled resources to pay the bills. Remembering that only twenty two (22) percent of the officers killed in 1974 had more than ten (10) years service and that few jurisdictions provide pension benefits that early in a career it is clear that a substantial problem exists which requires the attention of the Congress.

In only five cities (or 4.85%)—Boston, Mass.; Union City, N.J.; Highland Park, Mich.; Chicago and the District of Columbia—do the cash benefits for a violent death reach the fifty thousand (50,000) dollar level. In only three (3) cities (or 2.9%)—New York, Milwaukee, and Texas City do the benefits reach the twenty five thousand (25,000) dollar level. In only eight (8) cities (or 7.7%)—all Illinois except Chicago and all Texas except Texas City—do the benefits reach the twenty thousand (20,000) dollar level. In only eleven (11) cities (or 10.7%)—Philadelphia; Detroit; Kershaw, S.C.; Greensboro, N.C.; Chester, Pa.; Carroll County, Va.; Chesapeake, Va.; Lincoln, Ala.; Alabama Highway Patrol; Grand Rapids and Portland, Oreg.—do the benefits reach the ten thousand (10,000) dollar level. Finally, in only seven (7) cities (or 6.8%)—Buffalo; Cincinnati; Sacramento, Calif. State Police, Union City, Calif.; Yonkers, N.Y. and Ketchikan, Alaska—do the benefits reach under the ten thousand (10,000) dollar level. In the

last two cases—Yonkers and Ketchikan—the benefits are optional at the discretion of the local council.

Obviously, there is a tremendous gap between the needs of the widows and children of public safety officers killed in the line of duty and current local benefits. It is this gap that Hundred Clubs have sought to reduce while mindful that they cannot hope to fill that gap. Another problem is that there are not enough such clubs across the nation and it is in the areas where they are most needed that they are lacking. In many Western, mid-Western and Southern states where there have been a large number of deaths, frequently the survivor benefits are small or nonexistent and the officer pay scales are low. Often there are no Hundred Clubs in these areas. If you draw a straight line from the Texas-Louisiana boundary on the Gulf of Mexico to the North Dakota-Minnesota border on the Canadian border, you will find only six (6) of the seventeen (17) Western states are partially covered with Hundred Clubs. They are Texas, California, Nevada, Arizona, Nebraska and Colorado with a total of twelve (12) clubs. Yet in the past ten (10) years (from 1964 to 1974) two hundred seventy one (271) law enforcement officers have been killed in those seventeen (17) states. Already in 1974 another twenty one (21) officers have been slain in those states.

In preparation for today's testimony, I surveyed a sample of the Hundred Clubs from across the nation.⁶ Seventeen (17) of the fifty seven (57) clubs have responded to requests for information. Those clubs have an average life of six and a half (6½) years with Cleveland being the oldest at nineteen (19) years while a number were just started in 1974. Some of the Hundred Clubs cover firefighters as well as law enforcement officers. Others cover some but not all law enforcement officers within their jurisdiction. Some limit coverage to felonious deaths while others cover all line of duty deaths. Some make a lump sum cash payment at the time of death while others provide continuing benefits including scholarship aid and debt retirement.

With those limitations in mind the seventeen (17) clubs have paid claims in approximately one hundred eighty eight (188)⁷ cases totalling approximately one million two hundred thousand (1,200,000) dollars. If the figures represent an accurate cross section for all clubs, Hundred Clubs have probably paid benefits in over six hundred (600) cases with cash payments approaching four million (4,000,000) dollars. Yet only seven (7) clubs, New Mexico, Minnesota, New Hampshire, Ohio, Massachusetts, Connecticut and Rhode Island provide state-wide protection; while a full twenty one (21) states have no clubs; and in twenty two (22) states Hundred Club coverage is limited to certain cities or counties. Perhaps these figures provide the Committee with some idea of the dimensions of the need.

The states without clubs but with deaths during the past ten (10) years plus the first eight (8) months of 1975 are:

Alabama.....	22
Arkansas.....	13
Kansas.....	7
Louisiana.....	29
Maryland.....	27
North Carolina.....	30
Oklahoma.....	20
Oregon.....	6
South Dakota.....	4
West Virginia.....	7
Alaska.....	5
Washington.....	6
Montana.....	2
Idaho.....	5
Wyoming.....	1
Utah.....	4
North Dakota.....	1
Iowa.....	7
Maine.....	1
Vermont.....	2
Delaware.....	2

Total number of deaths in States with no Hundred Clubs.....⁸ 201

⁶ Unfortunately time constraints prevented a complete canvass of Hundred Clubs across the nation.

⁷ The number paid by the Louisville, Ky. Club is uncertain at this time as the information is kept by dollar amounts and not numbers of cases.

⁸ Puerto Rico does not have a club and has had sixteen (16) deaths while Guam had had one (1).

In states that provide only partial coverage it is impossible, without more extensive research, to determine precisely in which cases Hundred Clubs have paid benefits but we do know that the coverage has been limited. The gross figures on deaths in states with partial coverage are as follows:

<i>State</i>	<i>Deaths</i>
California.....	107
Nevada.....	3
Arizona.....	16
Colorado.....	13
Nebraska.....	6
Texas.....	84
Missouri.....	26
Wisconsin.....	14
Illinois.....	69
Michigan.....	56
Indiana.....	26
Kentucky.....	23
Tennessee.....	16
Mississippi.....	16
Florida.....	38
Georgia.....	43
South Carolina.....	26
Virginia.....	17
Pennsylvania.....	33
New York.....	69
New Jersey.....	28
Hawaii.....	2

Total number of deaths in States partially covered by Hundred Clubs.....	731
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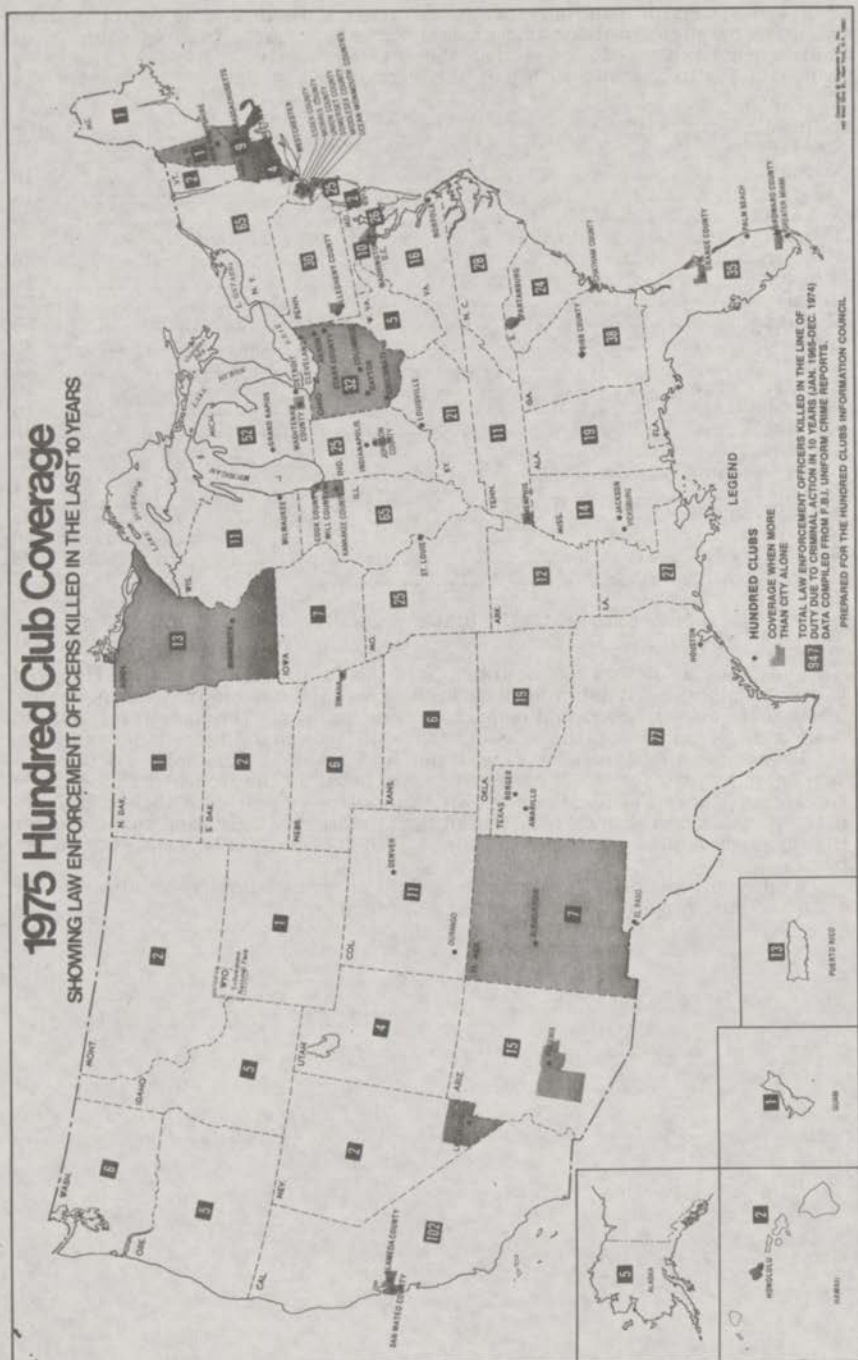
The only conclusion that can be drawn from this information is that the Hundred Clubs are filling a critical immediate need in a few of the many deserving cases. Much more must be done and it must be done uniformly throughout our nation.

Because of our work, those associated with Hundred Clubs understand the need for some effective federal legislation to provide a minimal level of lump sum death benefits for line of duty deaths. On behalf of the Hundred Clubs across the nation I urge the Members of this Committee to join with their colleagues in the House and the Senate to enact the most progressive legislation possible under the trying circumstances that have surrounded this and similar legislation in the past.

Thank you very much for the privilege of appearing before you today and for your patience in permitting these extended remarks.

1975 Hundred Club Coverage

SHOWING LAW ENFORCEMENT OFFICERS KILLED IN THE LAST 10 YEARS



Mr. FISH. One further comment on Mr. Burden's qualifications. In addition to his direct work with this information council, he is either a member or in all cases a strong supporter of the International Association of Chiefs of Police and Fraternal Order of Police and International Conference of Police Associations.

Mr. EILBERG. Thank you, Mr. Burden.

TESTIMONY OF ORDWAY P. BURDEN, CHAIRMAN, THE HUNDRED CLUBS INFORMATIONAL COUNCIL, ACCOMPANIED BY MR. FISHMAN, COUNSEL

Mr. BURDEN. Gentlemen, thank you for the opportunity to appear and testify on H.R. 3544, H.R. 365, and H.R. 366. I am testifying as chairman of the Hundred Clubs Informational Council. Hundred Clubs are local voluntary associations of leading businessmen and other public-spirited citizens who have organized on a nonprofit basis for charitable activities.

While many of the 57 clubs differ in details, the thrust of the groups is to provide some financial security to the spouses and children of public safety officers slain in the line of duty. Hundred Clubs were formed to partially meet the substantial needs of widows and children of slain public safety officers for lump sum cash benefits, the very need addressed by the legislation before you today.

In preparation for today's hearing, I surveyed a sample of the Hundred Clubs from across the Nation. Seventeen clubs were included in the survey. Some covered firefighters as well as law enforcement officers. Others covered some, but not all, law enforcement officers within their jurisdictions. Some limited coverage to felonious deaths, while others covered virtually all deaths of active officers. Some make only lump sum cash payments at the time of death, while others provide continuing benefits, including scholarship aid and debt retirement. Over the years, the 17 clubs have paid claims in approximately 188 cases, totaling approximately \$1,200,000. If these figures are an accurate cross section of Hundred Clubs—and I refer you on that point to pages 18 and 20 of my complete testimony—all 57 clubs have probably paid benefits in over 600 cases, with cash payments approaching \$4 million. Yet only 7 States have Hundred Clubs statewide, 21 States have no clubs, and in 22 States, club coverage is limited to certain cities or counties.

Each of these categories is set forth along with the number of deaths over the past 10 years on pages 19 and 20 of my full testimony.

While many jurisdictions provide pension death benefits to the widow and children of deceased law enforcement officers, those pension plans contain minimum years of service requirements that render them virtually useless to most officers slain in the line of duty.

As I show on page 8 of my testimony, many of the officers killed in 1974 were young; 12 percent were under age 25, 31 percent were between 25 and 30 years of age, and their median years of law enforcement service was only 5 years at the time of death. In fact, 17 percent of the officers killed in 1974 had less than 1 year's service; 45 percent of those killed had less than 5 years' service, while a full 33 percent had only 5 to 10 years' service.

Obviously, pension benefits were not of much help. To understand how limited pension coverage actually is, on pages 9 through 13 of my testimony, I examined the plans available in American cities today. In 1974, 43 officers were killed in cities with populations in excess of 250,000, but only three such cities, Philadelphia, St. Louis, and Las Vegas, allow for pension vesting within the first 10 years. In all American cities with a population from 10,000 to 250,000, only 24 allow pensions to vest after 5 years, and 48 allow vesting after 10 years' service. In towns with a population under 10,000 the population size where more officers were killed than any other, except in cities in excess of 250,000, only one allows pension vesting after 5 years' service, and only six allow it after 10 years.

Even when pensions do vest, the amounts provided a wife and children are very little. Sample benefits are set forth on pages 11 through 13 of my testimony.

To further understand the need for Federal legislation for lump-sum death benefits for public safety officers, I contacted the 103 jurisdictions that experienced a death in 1974 to determine what lump-sum cash benefits were given to the widows and children other than benefits that would accrue from an accidental off-duty death. Those jurisdictions and the results are set forth on pages 14 through 17 of my testimony.

Briefly, 65 of those jurisdictions had no lump-sum cash benefits. Only five had benefits reaching the \$50,000 level. Three had benefits of \$25,000, and eight had benefits of \$20,000. Eleven more had lump-sum cash benefits of \$10,000, and seven cities have lump-sum cash benefits of under \$10,000.

The only conclusion that can be drawn from this information is that the One Hundred Clubs are filling a critical, immediate need in a few of the many deserving cases. Much more must be done, and it must be done uniformly throughout the Nation. Because of our work, those associated with Hundred Clubs understand the need for some effective Federal legislation to provide a minimal level of lump-sum death benefits for line-of-duty deaths.

On behalf of Hundred Clubs across the Nation, I urge the members of this committee to join with their colleagues in the House and Senate to enact the most progressive legislation possible.

Thank you very much for the privilege of appearing before you today and for your patience in permitting these remarks.

Mr. EILBERG. Mr. Burden, thank you very much for your summary and for your prepared statement. Your prepared statement, particularly, shows a great many hours of work. It will be very helpful to the committee.

I would like to ask you a few questions now. What efforts have the Hundred Clubs made on the State level to encourage State governments to institute a compensation program for the survival of dependents of law enforcement officers?

Mr. BURDEN. We are tax-exempt organizations. Contributions to a club are deductible from income tax. Therefore, we could not engage in lobbying of any kind. However, we have had two annual conferences of the Hundred Clubs Council, at which time there were informal exchanges. My impression is that because of the tax-exempt problem, most clubs have shied away from any kind of legislative influence, including those State plans you mentioned.

Mr. EILBERG. I might point out that among my colleagues who resist this kind of legislation, one of the arguments made by them is that this is a problem that is best dealt with by the State and local municipalities and a subject in which the Federal Government should not get involved. Therefore, I asked the question. Of course, I certainly understand the answer given, but I think that efforts have to be made at certain State and local directions as well, because we just do not know when or how soon the Federal Government may act.

Mr. BURDEN. If I might comment on that, the real problem with organizing State action is the complete lack of standardization across the country, which, as you look through the pension plans and lump-sum payments, becomes immediately obvious. I, personally, feel there is a very valid Federal interest here due to many billions of dollars the Federal Government has invested in law enforcement throughout this country.

Mr. EILBERG. The members of this subcommittee feel certainly crime is a nationwide phenomenon. It knows no boundaries, so it should not be provincialized in any way.

On page 3 of your statement you provide the subcommittee with a breakdown of the number of officers that met their deaths as a result of attempts to make arrests responding to robberies in progress, responding to disturbance calls, and so forth. This information is extremely useful since, in the last Congress, the House version of the Safety Officers' Benefits Act attempted to broaden coverage to those activities which are considered by LEAA to be potentially dangerous, not just those just resulting from apparent criminal acts.

Could you supply for the record from what sources you derived this breakdown?

Mr. BURDEN. The "Uniform Crime Reports of the Federal Bureau of Investigation," which is the source for most of the data in the early part of the testimony.

Mr. EILBERG. On page 5 of your statement, I found it interesting that a large proportion of the deaths of slain officers appeared to be in the cities which have a population of 125,000, with deaths at 43, and those cities which have a population of 10,000—that is, the smaller cities—deaths, 15, the intervening cities having less numbers. Can you explain this phenomenon to the subcommittee?

Mr. BURDEN. I would really leave that opinion to one of the experts on police work and police procedure, which I do not consider myself as being. However, if you look on page 10, the footnote there, that statistic is reaffirmed and is not a fluke. Again, I would defer my comment on that, not being a professional police officer or an expert on police work.

Just one second, please.

[Pause.]

Mr. BURDEN [continuing]. 250,000 to 125,000 was the first figure—Group I. Over 250,000, I am sorry.

Mr. EILBERG. What do you mean by that?

Mr. BURDEN. Mr. Fishman, could you comment on that?

Mr. EILBERG. What is your associate's name?

Mr. BURDEN. Mr. Charles Fishman of Washington. He is my attorney.

Mr. FISHMAN. You referred, I think, in your question to cities of over 125,000. I think that the figure you are looking for is 250,000. The cities of over 250,000 lead the list. I am not an expert any more than Mr. Burden is.

Mr. EILBERG. I accept the correction, then.

Mr. FISHMAN. I think the assumption in that case, then, is the normal difficulties of living in urban, a large urban area of that sort produces a heightened degree of danger. The shocking statistic is the one of under 10,000, and the one which we have been unable to research and find any rational explanation for. But it does continue to appear year after year after year. It is not a very safe place for public safety officers.

Mr. EILBERG. That also tends to establish or carry out the idea that this is not a problem that is associated only with large cities. It is a national problem.

Mr. FISHMAN. Many of your rural congressmen, I think, are shocked to discover that a lot of their public safety officers will benefit substantially by this legislation.

Mr. EILBERG. Well, do you want to add to that, Mr. Burden?

Mr. BURDEN. No, that covers it very well.

Mr. EILBERG. Mr. Burden, on page 8 of your statement you indicate many of the officers killed, for example, in 1974, had minimum service of 5 years as a law enforcement officer, thereby indicating your pension benefits would be at a minimal level to include the nature of this hazardous occupation. Is any effort being made to see that pension benefits are increased even though minimal amount of service is given prior to death?

I think you have already indicated that as a tax-exempt organization you cannot lobby exactly as a group. But how would you answer this question?

Mr. BURDEN. I would answer it by saying that this is an area of activity for which the national police organizations are particularly qualified, specifically the International Conference of Police Associations and the Fraternal Order of Police, through their legislative committees.

I myself have not gone into this area of legislation with the exception of H.R. 9281 last year, the 2½ percent pension bill for Federal law enforcement officers.

Mr. EILBERG. You indicate on page 20 of your statement that Federal legislation is needed to provide a minimum level of lump sum death benefits for individuals slain in the line of duty. But do you feel that \$50,000 is an adequate figure?

Mr. BURDEN. In my opinion it is minimal. But we all deal within the realm of the politically possible, and I figure it is the maximum we can ask for at this time; particularly, as you know, there is legislation which provides for a \$50,000 payment to a local law enforcement officer aiding a Federal officer in attempting to prevent a Federal crime. And, this seems to have been the working definition, the \$50,000 level. I am not certain how it was evolved, but I think my friends from the police organizations could probably supply some additional information in that area.

Mr. EILBERG. Mr. Fish?

Mr. FISH. Thank you, Mr. Chairman.

Thank you, Mr. Burden. I particularly want to compliment you for the analysis you have provided us on pages 8 and 9 of your full statement with regard to the inadequacy of the current pensions. I think you made a very strong case here. It is going to be helpful in the work of this subcommittee in persuading our colleagues of the need for this legislation.

I wonder if you could tell us what the term public safety officers embraces to the Hundred Clubs?

Mr. BURDEN. Generally it means sworn personnel of police and fire departments, whether salaried or not.

Mr. FISH. Sworn?

Mr. BURDEN. Right. Yes, but not civilian employees.

Mr. FISH. Of police and fire departments. How about court personnel?

Mr. BURDEN. No. I would like to emphasize we have identified 57 different clubs across the Nation, and they all have different coverage policies. There is no standardization. There are only two or three I can think of that might cover court officers, but generally this is not within the scope of coverage.

Mr. FISH. Narcotics agents?

Mr. BURDEN. Again, this will vary. Yes, I can think of at least two clubs that have made payments to Federal narcotics agents. I know of no case in which a State or local narcotics agent was involved other than in his capacity as a police officer.

Mr. FISH. At one point you, in your testimony, you say within 24 hours of the tragedy most clubs are at the home of the public safety officer to present the widow with their check. I wonder if you could just describe to us a typical response that you would expect from the members of the Hundred Clubs upon hearing of the death of a policeman?

Mr. BURDEN. Well, of course, we are in a state of shock. We are deeply grieved emotionally. We believe tremendously in these men and the work they are doing. Generally there is a delegation from the club that goes to the home of the widow who, of course, needs all the help and counseling she can possibly get, and presents the check without intruding or imposing, just telling her that friends are there, that support is there. She is immediately grateful.

It is not a pleasant duty. I have done it myself. There have been psychological studies of the effect of grief on widows. I remember one was discussed in the ICPA publication, also in our newsletter. The idea is just to offer a firm, willing hand during the immediate period of shock. To cover funeral expenses a check of approximately \$1,000 is usually deemed adequate. Then, later on when the widow has regained her composure to a certain extent, we follow up with professional counseling on investment matters, legal matters and financial matters.

Mr. FISHMAN. If I may, Mr. Fish, the study that Mr. Burden refers to was done by Professor Dentow in Michigan, which interestingly, I believe it was 10 widows of public safety officers slain in Michigan—one interesting finding was that the women uniformly were terribly hostile to the governmental entities that handled the benefits, different death benefits they were entitled to. They uniformly had feelings that they did not care, that they were literally statistics to them, and it

was very routine. It showed no understanding or sympathy of their problems. On a voluntary basis, I believe it was 8 out of 10 who volunteered very strong and warm remarks about the conduct of the Hundred Clubs involved in that area, the service they performed. Those were voluntary remarks. The point, Professor Dentow went into them in some detail in the study, to point out how surprised he was that both their hostility to the governmental reaction and their positive reaction to the private effort—you can get a copy of that study if you would be interested to see it.

Mr. FISH. Thank you, Mr. Chairman.

Mr. EILBERG. Mr. Burden, we are indeed grateful to you and Mr. Fishman for coming here today and giving us your contribution.

Speaking as the chairman of this subcommittee, I am hopeful that we can move this through the subcommittee and through the full committee of the House. We have had some difficulty in the other Chamber in the last couple of Congresses. Perhaps you, with your powers of research and persuasion can help convince the other body this time that this is very appropriate legislation.

We look forward to your future cooperation as well as your present cooperation.

We thank you gentlemen very much.

Mr. BURDEN. Thank you, Mr. Chairman.

Mr. EILBERG. It is our pleasure to introduce two old friends, Mr. Edward J. Kiernan, president, and Robert D. Gordon, secretary-treasurer of the International Conference of Police Associations. Welcome to our subcommittee.

TESTIMONY OF EDWARD J. KIERNAN, PRESIDENT, INTERNATIONAL CONFERENCE OF POLICE ASSOCIATIONS, ACCOMPANIED BY ROBERT D. GORDON, SECRETARY-TREASURER, INTERNATIONAL CONFERENCE OF POLICE ASSOCIATIONS

Mr. KIERNAN. It is a pleasure to be back before the committee. I hope that this time it will be more fruitful than it was on the last two times. I can safely say that was not the fault of the Members of the House in any way, shape, or form. The cooperation and attention we got from the Members of the House was tremendous.

I would like at this time to identify Mr. Burden as being the official liaison from the International Conference of Police Associations to the Hundred Clubs. I can attest to the authenticity of the statistics that he has supplied to this committee. We have worked with him on many, many occasions in compiling this material and assisting him in compiling other police-related material. I can attest that it is factual. He is worthy of your consideration.

Mr. Chairman and members of the subcommittee, my name is Edward J. Kiernan, president of the International Conference of Police Associations. We represent over 170,000 police officers in the United States.

At this time I would like to thank you for the opportunity to testify on these very worthwhile bills.

With me is Mr. Robert Gordon, secretary-treasurer of the International Conference of Police Associations, who has also appeared before you in the past on similar legislation, and is our legislative representative in Congress.

We are here to speak in support of H.R. 366, which specifically applies to law enforcement officers killed in the performance of their duties as well as H.R. 3544, which applies to police and fire correction officers, and others. I think, Mr. Chairman, you covered that point pretty well in some of your remarks to the previous speakers. We are well aware of the problems that you had last year because of the dissenting views of the Members of the Senate.

As an elected officer of the International Conference of Police Officers representing policemen, we have a sworn responsibility to protect the rights of our members. We fully support the omnibus bill which contains the police, fire, and correctional officers, and intend to work with your committee to see that it is eventually passed into law by the Senate and the President of this country.

We also do have the responsibility, though, to represent police officers. H.R. 366 represents that bill, so, when I speak, I think I can safely say I am speaking on behalf of both pieces of legislation coming before your committee.

In our previous testimony on similar bills in the last Congress we referred to the number of police officers who have given their lives in the protection of our citizens. Unfortunately, since that time the tide has not turned and I am sorry to report that in 1974, 132 law enforcement officers gave their lives, and to date in 1975, 84 more have made the supreme sacrifice. Since 1962, over 1,200 police officers have died in the line of duty. Just in the past several days two police officers in New York City were gunned down on a routine auto check.

One of the unfortunate parts of my job is the attendance at these funerals. I have to leave here today to attend a funeral tomorrow for one of the police officers in New York City. The other one is being buried on Monday.

Our men have been the target of assassins' bullets in every area of the country, in large cities as well as small villages, and there is no distinction between black, white, and brown officers. The question came up in the past in discussions before the Congress as to whether or not this is a bill that should be considered by the Federal Government rather than the States. I think if you look at the map that Mr. Burden submitted in the back of his testimony, you will find out that every single State in this country, with the exception of Rhode Island, has had police officers killed in the performance of their duty. So, we are not talking about a distinctive piece of legislation that will benefit only people in one State or another. We are talking about a piece of legislation that potentially is going to have an impact on every single State in this country. There is no legislator sitting in this Congress who can say that his people have not been affected by this tremendous upsurge of killings as they affect police officers.

We have watched the progress of this legislation over the years, having been involved in it from its inception, and have seen it progress through the committees, to the full House and Senate Floors, and then die, as our men die, because of a technicality. I can only hope that this bill, H.R. 3544, has now resolved all of the technicalities and will result in an affirmative vote by both Houses of Congress and become law with the signature of the President. I have no intention at this time to get involved in discussion as to which is the most dangerous job—police or fire. I think when we sit down and analyze the dangers

of both jobs, we can truthfully say that the potential of danger and death in both jobs is tremendous.

Unfortunately in legislation such as this we do not take into consideration the number of police officers who have been maimed and seriously disabled. Cases like the young police officer in New York City, or probationary officer who had his eyes blown out by a booby trapped doorway—alive, existing, but not a statistic as far as death is concerned, but still a tremendous calculation as far as the dangers of police work is concerned. The hundreds of thousands of police officers around this country who today cannot fully partake of our society because they were maimed and disabled, who would not be eligible for benefits in this bill but still should be taken into consideration as a factor when we start talking about the hazards of the various jobs.

As a former police officer with 30 years of service in the city of New York, I can speak with a degree of certainty about what goes on in the mind of a policeman.

Most young men become police officers because they want a job that is interesting, active, and unique. They are aware of the dangers involved and are ready to accept them. They dedicate themselves and their lives to the protection of the public and the maintenance of what we know as law and order. Historically, they are family men and their love of children, their own and others, is well known to all of us. If there is one thought in their minds while they engage in their dangerous work, it is the constant worry about what will become of their wives and children if and when they are called upon to make the supreme sacrifice.

There has been much discussion about the responsibility of State and local governments to assume this responsibility and again I am sorry to say that they have walked away from it and the ones who suffer are the families of our police officers who are left behind. In many States, there are no death benefits paid to survivors at all and they are forced to go on the welfare rolls in order to survive. This is a sad reflection on the gratitude of our elected officials for those who have sworn to give their lives in order to protect these same officials. We witness today attempts or threats on the lives of our President, our judges, our Senators and Congressmen, and every other elected officer of our government and in every case it is the police officer who willingly puts himself in front of the assassin's bullet to protect these same people as witnessed by the recent attempt on the life of our President and except for the action of the law enforcement officer we would be sitting here today in mourning for the life of a President of this country.

This is a distinct indication of the dedication that these law enforcement men on the Federal, State, and local level have. This officer was willing to jeopardize his own life to protect the life of the President and rightfully so, that is our job. All we ask of you is consideration and your colleagues' consideration and, in return for this very, very monumental sacrifice, approval of legislation which will have some meaningful impact on the families of the people who are left behind. I could go into a longwinded dissertation about salaries and benefits or rather the lack of them, which really has nothing to do with this bill. I could philosophize about how the restoration of the death penalty for killing a police officer could go a long way toward reducing the amount that this bill will cost.

But again, that is not the issue. What is the issue is whether or not the people of this country, through you, their elected officials, have the compassion and appreciation to give these men the peace of mind they so rightfully deserve by passing this bill and acknowledging your thanks to this thin blue line of public servants. In so doing, you will be also assisting tremendously in the job of recruiting police officers and firefighters into these hazardous jobs.

Mr. Chairman and members, I thank you very much for your attention and courtesy to appear here.

[The prepared statement of Edward J. Kiernan follows:]

STATEMENT OF EDWARD J. KIERNAN, PRESIDENT, INTERNATIONAL CONFERENCE OF POLICE ASSOCIATIONS

Mr. Chairman, and members of the Subcommittee my name is Edward J. Kiernan, President of the International Conference of Police Associations, which represents over 170,000 police officers in the United States. I wish to thank you for the opportunity to testify on these very worthwhile bills. I have with me Mr. Robert Gordon, Secretary-Treasurer of the International Conference of Police Associations, who has appeared before you in the past on similar legislation and is our legislative representative in Congress.

We are here to speak in support of H.R. 366, which specifically applies to law enforcement officers killed in the performance of their duties as well as H.R. 3544, which applies to Police & Fire, Correction officers, and others. In our previous testimony on similar bills in the last Congress we referred to the number of police officers who have given their lives in the protection of our citizens. Unfortunately, since that time the tide has not turned and I am sorry to report that in 1974, 132 law enforcement officers gave their lives and to date in 1975 82 more have made the supreme sacrifice. Since 1962 over 1200 police officers have died in the line of duty. Just in the past several days two police officers in New York City were gunned down on a routine auto check. Our men have been the target of assassins' bullets in every area of the country, in large cities as well as small villages, and there is no distinction between black, white and brown officers.

We have watched the progress of this legislation over the years, having been involved in it from its inception and have seen it progress through the Committees, to the full House and Senate floors and then die (as our men die) because of a technicality. I can only hope that this bill, H.R. 3544, has now resolved all of the technicalities and will result in an affirmative vote by both Houses of Congress and become law with the signature of the President.

As a former police officer with thirty years of service in the City of New York, I can speak with a degree of certainty about what goes on in the mind of a policeman. Most young men become police officers because they want a job that is interesting, active and unique. They are aware of the dangers involved and are ready to accept them. They dedicate themselves and their lives to the protection of the public and the maintenance of what we know as law and order. Historically, they are family men and their love of children, their own and others, is well known to all of us. If there is one thought in their minds while they engage in their dangerous work, it is the constant worry about what will become of their wives and children if and when they are called upon to make the supreme sacrifice.

There has been much discussion about the responsibility of state and local governments to assume this responsibility and again I am sorry to say that they have walked away from it and the ones who suffer are the families of our police officers who are left behind. In many states there are no death benefits paid to survivors at all and they are forced to go on the welfare rolls in order to survive. This is a sad reflection on the gratitude of our elected officials for those who have sworn to give their lives in order to protect these same officials. We witness today attempts or threats on the lives of our President, our Judges, our Senators and Congressmen and every other elected officer of our government and in every case it is the police officer who willingly puts himself in front of the assassin's bullet to protect each and every one of you as witnessed by the recent attempt on the life of our President and the action of his bodyguard. Serious crime continues to rise, municipalities are in danger of going bankrupt and the only one able to protect our families is the Federal Government.

I could go into a long winded dissertation about salaries and benefits or rather the lack of them, but that has nothing to do with the bill in question. I could philosophize about how the restoration of the death penalty could probably go a long way toward reducing the amount of money that this bill will cost, but again that is not the issue. What is the issue is whether or not the people of this country, through you, their elected officials, have the compassion and appreciation to give these men the peace of mind they so rightfully deserve by passing this bill and publicly acknowledging your thanks to this Thin Blue Line of public servants. In so doing you will also be assisting tremendously in the recruiting of police officers and firemen in these hazardous jobs.

Thank you.

Mr. EILBERG. Mr. Kiernan, we want to thank you for what is indeed an inspired statement. I think you know we agree with you. We regret very much that we do not have a law on the books, but I am not going to review at this time all the hurdles we had in the last Congress and the Congress before.

Just a few questions I would like to ask you. The concept of this legislation was born in the late sixties, early seventies when there was a shocking wave of disorder in the country. There was a Presidential conference; the idea was founded then that there should be Federal compensation for public safety officers. We do not seem to have that wave right now or that kind of objection to organized government that we had at that time. Some people say there is not the same need as there was, perhaps in 1971. I wonder if you would address yourself to that question?

Mr. KIERNAN. I think what you see today when you look over the statistics that I have supplied and Mr. Burden has supplied, will probably refute that point of view. The assassinations that took place during the late sixties and early seventies, while they may have been political in nature in the minds of some of the individuals who were involved, have created an atmosphere in the minds of the criminal element of our country that it is permissive to kill police officers.

Because of a lack of definitive action during those years, an ideology has been built up in the minds of these people that you can kill a policeman and get away with it. I think we only have to look at those statistics to see that had the feeling prevailed that this was a temporary thing, this political assassination type or political reaction type effect, that it would also be logical then to assume that since that has changed, that the deaths of police officers who were killed in the line of duty would diminish. Unfortunately we find out that is not so. We find out that they continue to increase.

Unfortunately, also again, we have no reasonable conclusion to draw that they are going to diminish this year or in succeeding years. So while that may be a theory, I think the available statistics refute that theory in the sense that more and more police officers are dying. While I am not a teacher in any of our academies, I know that it is cops who are being killed on the streets and I know more of them are being killed today than ever before. So while we may sit down and write learned books and stuff on why, two practical facts remain; that notwithstanding the fact that the political assassination type thing has slowed down, the deaths have increased.

Mr. EILBERG. Do you believe this legislation will aid in the recruitment and morale of police officers?

Mr. KIERNAN. I think it goes without saying, when we get young men in a job—and I think one of the questions you asked before was

about the age factor—I think if you did a survey today, you are going to find out that the average age of police officers in the service in the country is under 10 years of service. We are recruiting young men into the job. Recruiting young men into the job becomes harder and harder when we look at the competition we have from private industry. At one time, the theory was that you had job security as a police officer. That is why it was important to become a police officer. In addition to everything else, we no longer find that. There is no such thing as job security today.

We had 2,500 police officers yesterday down here in this Capitol pleading their cause who have been laid off. So the invitation to recruit this intelligent, competent young man into the police service because of security has been completely destroyed. We find out that in the mind of any man who goes out and puts his life on the line, paramount is the fear that in the name of God if something happens to me I at least want to know my family is going to be protected.

Let us look at what we are talking about with \$50,000 in this economy today. What we are saying to a woman is that we are going to give you and your family, and in many cases the youths in the fire fighters and police ranks are very prolific, we are talking about four and five children. We are saying, "you are going to get 2 years' or 3 years' salary and that after that, so be it, you are on your own."

You know in this economy today if you took \$50,000 and tried to equate how you are going to utilize that \$50,000 to maintain your family in the absence of a breadwinner, when you say 3 years, we are being very, very conservative. In most cases, it will not last that long. So we are telling this woman and these children, "we are going to give you a pittance, it is a pittance to at least allow you to establish your life in some fashion until you can make your own plans to do the things you want to do so."

As Mr. Sarbanes brought up before, the cost, when we sit down and analyze the cost of current negotiations on defense, which I believe wholeheartedly in and the cost of providing outside assistance to depressed areas throughout the rest of the country, which I also believe in, I think if we can justify in our minds these kind of expenditures to the billions and billions of dollars, how can we not justify an outlay of millions of dollars to take care of the people here who protect us day by day?

Mr. EILBERG. Mr. Kiernan, as we know and Mr. Burden's studies show, some of the State governments and municipalities have programs, they are trying to do the right thing. Some are assuming the responsibility. Do you feel this legislation would encourage or remove the incentive to State governments to institute their own compensation programs for the dependents of public safety officers?

Mr. KIERNAN. I think this legislation can be considered as a means toward taking care of a condition that exists today. I think that when and if the States of this country decided that they are ready to assume their own responsibilities, which they have completely abrogated, as you can see by the report submitted by Mr. Burden, then we can sit down and consider changes in the legislation. But what I am talking about today is the need today. You can see that need just by going over the statistics, since the time we started.

Mr. EILBERG. What I mean to say—it is my feeling and that is all it is—that if a municipality or State has moved in the right direction, they are not going to curtail their program suddenly because an additional contribution has come from the Federal Government. I wanted to know whether you shared that feeling?

Mr. KIERNAN. I share that feeling wholeheartedly. I do not think this will in any way, shape or form influence those who have taken over their responsibilities. But what I am speaking about is those who have not taken over the responsibilities and whether or not this will encourage them in the future to try and assume part of their responsibilities as well.

Mr. EILBERG. You do not think existing programs by States and municipalities would be eliminated simply because the Federal Government has come in with a \$50,000 benefit.

Mr. KIERNAN. Absolutely not.

Mr. EILBERG. We have heard testimony about the risks that the public safety officers undertake. They may be killed or injured permanently, temporarily. Should a Federal benefit be given for temporary and permanent disability to local and State public safety officers?

Mr. KIERNAN. I think the same opinion as I expressed as far as the death award being given for a person who is killed in the line of duty should be considered also as far as those who are permanently disabled because of that same activity. When we sit down and take into consideration that many police officers throughout the country are not covered by social security, in a good many cases they are not covered by workmen's compensation; we have found cases in States throughout this country where a police officer is seriously injured in the line of duty, no longer able to perform his duties, has been summarily dismissed from the department and that is it.

Here again we are faced with the man who took an oath to protect the lives of the people who he represents and because, in the course of doing that, he became seriously disabled, unable to perform his duties and they in turn completely disregard his dedication and summarily fire him from the ranks of the department.

Mr. EILBERG. Mr. Kiernan, there is a tendency in some minds, I think, to feel the legislation would benefit primarily the big cities, the heavily populated areas. I would ask you, would this legislation primarily benefit urban or rural areas? What is your reaction?

Mr. KIERNAN. I think the remarks I made before relative to every single State in this country being involved would be one indicator that this is not just a major metropolitan piece of legislation. Police-men are being killed in every area of our society. The small cities, as Mr. Burden so very well indicated in his report, and the large cities, it is no longer a thing we can just say only affects big cities. Again, it is another indication of why it becomes a national consideration rather than a local one.

Mr. EILBERG. Mr. Fish?

Mr. FISH. Thank you, Mr. Chairman. Thank you, Mr. Kiernan and Mr. Gordon.

Just a couple of questions. You might have heard the response of the International Fire Fighters representative regarding alternative approaches that have been suggested to this problem. I wonder if you would just comment on whether you think these are feasible.

One is the purchase by the Federal Government of group insurance for public safety officers and the other is providing grants to match State and local death benefits.

Mr. KIERNAN. I think what we are talking about here is a piece of legislation that is specific in its intent and the intent is not to become competitive with State and local governments but to recognize the responsibility on the part of the Federal Government to take care of law enforcement officers because of the type of duties they do, which are national in scope. I think that whatever the State or local governments feel they can do to aid and assist, put more on top of this, should not be taken into consideration as being detrimental to this bill.

I think the \$50,000 is not enough and if we can get \$25,000 from the State or local agency to augment this, that we have every responsibility to do that as well. I think the responsibility of the Federal Government applies to this \$50,000 grant.

Insofar as the group life insurance program you are talking about, I can only envision as a result of the complexities of getting this bill passed, what we are going to run into when the type of legislation is introduced and we will be sitting here 10 years from now discussing the legalities and ramifications of that group life insurance program for every police officer.

Mr. FISH. The concept of the group life came up because of the comparison between the Federal Government's responsibility to servicemen, who have placed their lives in jeopardy at the time of war, and to police officers. In the case of servicemen, we have the national service life insurance. It is a group known to everybody in uniform. The suggestion was made, this be the same approach we take to police officers.

Mr. KIERNAN. It is a tough thing to compare, emotionally, police and soldiers. The only thing I can say in justification to our position on that is that we, all policemen as well as everybody else, when our country was in danger, went into the military to protect it and defend it. We know that when that service has been concluded and the defense has been successful, we are going back and we are going to resume our normal life, in many cases, selling shoes, delivering milk, jobs such as that. When we talk about a police officer we are talking about a man who has dedicated his entire life to protecting those people; not 2 years, 5 years, 10 years, but his entire life. I think that we have to take a look at it from that point of view. We are not talking about a temporary period of our lifetime. We are talking about our entire permanent life structure. We have to take it—that means a little bit more—than the servicemen.

Mr. FISH. I think that is a good answer. You yourself were a New York City policeman for 30 years.

Mr. KIERNAN. That is right.

Mr. FISH. This was 30 years of active duty on the line, on the streets dealing with crime?

Mr. KIERNAN. Never more than a patrolman, sir. I was on the street.

Mr. FISH. Continuous hazardous duty for 30 years?

Mr. KIERNAN. That is right.

Mr. EILBERG. Mr. Gordon?

Mr. GORDON. May I, Mr. Chairman, make a comment? I know, as in the past, the old argument is going to be put forth about Federal involvement. I am sure, as you well know, several years ago there were several members of the committee and the full committee who gave minority reports and they expounded on the Federal Government should not become involved and it should be a local problem. Yet, every day we have dealings with LEAA, constantly mandates guidelines to police departments throughout the United States and they threaten to cut off these funds unless they adopt these guidelines such as height lowering, height requirements of police officers to 5 feet. I stated at one of the hearings that we are going to have an army of midgets. They are adopting guidelines that are forcing police officers to accept applicants as police officers with arrest records.

We just saw this out in Dallas, Tex. They are getting involved in the areas now of collective bargaining where they are funding seminars with the International Association of Chiefs of Police to attend these labor seminars. So the Government is actively involved in telling the police departments of this country what they can and cannot do. For those who oppose this legislation, to say that the Federal Government should not become involved in the local law enforcement officers, LEAA today is controlling almost every police department in this country. So I think we are going to have to get prepared again to ward off the criticism by some of the members of either the full committee or the subcommittee—I am happy to say most of them here today are behind this bill—we are going to have to do a number to prove the points that we are making here as far as the Federal Government involvement.

Mr. FISH. I think that is very helpful.

Mr. Gordon, finally the question of either of you gentlemen, H.R. 3544, do you support as it is written?

Mr. KIERNAN. Yes, sir.

Mr. FISH. Are you happy that this bill covers the court personnel? I am thinking in terms of the shootout in the courtroom, activities of corrections, probation, and parole authorities are mentioned in the definition of law enforcement officer. Of course, it would not normally be considered a hazardous duty if you are a deputy sheriff in the courthouse. I think the potential for hazard is certainly there. I think it should be clearly covered in this bill.

In the International Association of Firefighters' testimony, they referred to the inclusion of the members of the judiciary when they die in the line of duty. In your judgment, you are happy that this is covered adequately in the language?

Mr. KIERNAN. Yes, sir. We cannot speak formally in support of this as far as the various associations who may represent these different groups. We representing police realize that there is a distinct relationship between us and court personnel, corrections personnel, and we have no objections whatsoever to their being included.

Mr. FISH. Thank you, Mr. Chairman.

Mr. EILBERG. Mr. Kiernan, Mr. Gordon, we thank you once again for coming before us and helping us out. Let us hope we have better luck this time than we did last time.

Thank you very much.

Mr. KIERNAN. Thank you.

[Whereupon, at 12:05 p.m., the subcommittee adjourned, subject to the call of the Chair.]

APPENDIXES

APPENDIX 1

STATEMENTS AND CORRESPONDENCE SUBMITTED FOR THE RECORD

STATEMENT OF HON. FRANK ANNUNZIO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. Chairman: Thank you for this opportunity to testify before your Subcommittee on behalf of my bill, H.R. 189, the Public Safety Officers' Benefits Act which would improve the morale of our law enforcement officers by providing certain benefits for them.

In order to perform services which are essential to the well-being of all Americans, public safety officers face personal danger every day. Whether they are policemen, officers in our courts and correctional facilities, or firefighters, many of the tasks which they must routinely undertake—from attempting to make an arrest to extinguishing a blaze—are potentially perilous. We are fortunate that these men and women are so devoted to public service that they are willing to rise to the challenges of their demanding professions, which they perform with dedication and courage.

In recent years, as crime and violence have become increasingly widespread, the jobs of public safety officers throughout the country have grown even more dangerous. Because they are conspicuous symbols of authority in their communities, hostility towards government and other institutions is often irrationally directed at them.

The number of law enforcement officers who have been killed while on the job is alarming. There were 858 such deaths in the ten-year period 1964 through 1973, and the rate at which these killings occur is alarming. Criminal acts resulted in the death of 127 officers in 1973; and of 132 policemen in 1974. In 1973, 90 firefighters were killed during the performance of their duties.

All public safety officers are vulnerable to attack. Many of them must bear the additional burden of knowing that, should they be disabled or killed, their families will be faced with severe financial hardships as well as the anguish that accompanies the injury to, or loss of, a loved one.

Although a public safety officer may feel that benefits from workmen's compensation, or from retirement or pension plans, would not provide adequate protection for his family in the event of such a tragedy, he may find that private insurance is difficult to obtain or prohibitively expensive for persons engaged in his hazardous profession.

Many states provide no specific benefits for the dependents of public safety officers killed in the line of duty. In some states, benefits were limited in various ways and in others, they may be paid only to firemen, or only to policemen, or the benefits given may be only in the form of scholarships. In several states, benefits are available only to the dependents of officers killed in cities having a given population size, but not throughout the State.

I have introduced the Public Safety Officers' Benefits Act of 1975 (H.R. 189) to insure that all public safety officers, including those who volunteer their services for the protection of persons and property, will receive benefits in the event that they are disabled in the line of duty due to a criminal act, and that the dependents of officers who are murdered while on the job will also receive compensation.

No amount of money will erase a widow's sorrow, or make any attack on a policeman, fireman, or corrections officer less tragic. But this Act can reduce the fear that public safety officers must now have for the welfare of their families whenever they confront danger on their jobs. The Public Safety Officers' Benefits Act is also one way that we, the American public, can express our appreciation for the bravery and devotion that is displayed daily by the men and women in the law enforcement and public safety professions.

STATEMENT OF HON. SILVIO O. CONTE, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF MASSACHUSETTS

Last tuesday night in Manhattan's lower east side, two policemen while on routine patrol, were ruthlessly murdered. This abhorrent act raised the New York City Police Department's death toll of officers while on duty to six in 1975. In the United States, between two and three policemen are killed every week while protecting the rest of society as best they can, from steadily increasing lawlessness. They stand guard between the law-abiding public and the bullet of crime twenty four hours a day.

The families of Sergeant Reddy and Patrolman Glover had no assurances that their husband and father would return home safely Tuesday night, or any other night. Such assurances are non-existent for policemen's families all across the nation. Yet they must accept, if not understand, this nagging insecurity.

The policeman is an extremely visible symbol to us all. To most he or she stands for deterrence of crime and the upholding of law in society. Unfortunately, however, for those who are dissatisfied, frustrated or confused—the policeman can represent the society he feels has rejected or mistreated him. In this position the "cop" on the beat is subject to verbal abuse as well as dangerous, violent attack by those who see him as the most direct target of societal retribution for the wrongs done to him.

Pay is comparatively low for such a high risk occupation, and therefore when the policeman, fireman or corrections officer is either killed or seriously disabled the financial status of their dependents becomes dangerously unstable.

It is for this reason that I co-sponsor and strongly endorse H.R. 2641, known as Public Safety Officer's Benefits Act of 1975. This, I believe, is excellent and long overdue legislation meant to aid those policemen, firemen and corrections officers who run the risk of death or serious disability as they perform their daily functions. I am happy to say that H.R. 2641 is more extensive than similar previous legislation. This act would allow for compensation of \$50,000 to surviving dependents of an officer either killed or suffering multiple dismemberment while in the line of duty. Additionally, it provides the official with \$25,000 in the event that he or she lost the use of a limb. To cover the initial expenses of an officer's family at the time of such an unfortunate event, this bill allows for an interim payment of \$5,000. Although the recipient of such a payment will be held liable for the amount in case the final payment is not made, the administration may waive the liability in part or in full. At this time there are other similar bills pending action including H.R. 6551, H.R. 3105, and H.R. 3479. Each bill also allows for \$50,000 gratuity to dependents of public safety officers killed in the line of duty. Each, with the exception of H.R. 3105, stops there. We cannot neglect the fact that dismemberment of a public safety officer renders him useless in his occupation and in need of retraining. Each of these occupations requires the employee to be physically sound and could not, therefore, accommodate someone who had suffered the loss of a limb.

Due to the limited salaries of these occupations many are incapable of providing sufficient life and health insurance. \$25,000 is a minimal figure to tide an officer and his family over until he can adjust to his physical handicap. These men and women are protecting society and when, in the course of their work, they lose their limbs or the use of their limbs, society has a moral obligation to help them adjust to their disability and proceed with new career training.

These public servants and their families would be rendered a great disservice if we in Congress denied them this small compensation for an invaluable service. Unbelievable as it may seem, many firefighters in volunteer fire departments don't even have enough death benefits to cover funeral expenses.

I must also emphasize the need for the provision of an interim payment of \$5,000. If the administration believes that final payment will be justified it will have the authority to pay the party \$5,000. This amount will tide the survivors of the officer over until the bureaucratic process is concluded and the full amount is paid. This sum will be deducted from the final amount and if the party does not secure final payment he will be liable for the interim compensation.

The decade between 1964 and 1975 saw the lives of 862 policemen taken as the result of criminal assault—in 1973 alone 131 were killed. 790 firemen lost their lives in the line of duty between 1960 and 1970. These brave men and women died protecting you and I and the rest of society, so let us do the least we can for them and their families. We in Congress have waited too long on this important issue.

I urge all members to support H.R. 2641 without amendment.

STATEMENT OF HON. BENJAMIN A. GILMAN, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF NEW YORK

PUBLIC SAFETY OFFICERS' DEATH BENEFITS LEGISLATION

Mr. Chairman and distinguished members of the Subcommittee on Immigration, Citizenship, and International Law.

I welcome the opportunity to add my support to the public safety officers' death benefits legislation pending before you.

The need for this type of legislation was succinctly stated by the full Judiciary Committee in its committee report on the Public Safety Officers' Benefits Act of 1974.

"Notwithstanding the severe occupational hazards which confront policemen, firemen, correctional officers, and other public safety officers, many states have failed to provide sufficient death benefits for their survivors. Because of this fact and in recognition of society's moral obligation to compensate the families of those individuals who daily risk their lives to preserve peace and to protect the lives and property of others, the Committee is of the opinion that a Federal payment of \$50,000 should be provided to meet the immediate needs of the officers' survivors."

Since 1962, the number of public safety officers slain in the line of duty has increased from 48 deaths in that year to 132 deaths in 1974. And as of August of this year, 84 more public safety officers have already made the supreme sacrifice, and some of these men resided in my Congressional district.

This is a sad commentary on our way of life and a forbidding prospect to our future welfare. But what has compounded this tragedy is the seeming lack of gratitude that our state and local governments have demonstrated toward those brave young men and women by the callous disregard for the welfare of these same officers' families.

Clearly, state and local employers have a duty to provide adequate death benefits to the survivors of public safety officers who are killed in the performance of their duties. Yet, it is a fact that in many of our states there are no death benefits and very meager pension benefits for those fortunate enough to survive long enough to become vested. This has forced many of the survivors of our slain officers unwillingly onto our nation's swelling welfare lists.

While the blame for this unfortunate state of affairs and the responsibility for rectifying this injustice lies squarely on the shoulders of our elected state and local officials, it is evident from the discouraging level of pension benefits paid to public safety officers that the state will not be forthcoming with an additional death benefits program, at least not in the conceivable future.

A quick glance at the statistics reveals that where pension benefits do exist, they are inadequate for the reason that the level of the benefit is often tied directly to the number of years of service. And surely the members of this Subcommittee know that the mortality tables reflect a correspondingly greater number of deaths for those officers with the fewest years of service.

With such a poor record by states in dispensing accrued employment benefits, regardless of the circumstances of death, can we sit back and await the states to institute a benefits program. I believe we know the answer to that question.

Accordingly, I endorse the thrust of the various public safety officers' death benefits bills pending before the Subcommittee.

H.R. 365, H.R. 366, and H.R. 3544 are all quite similar in that a \$50,000 gratuity would be paid to the surviving dependents of public safety officers found to have "died as the direct and proximate result of a personal injury sustained in the performance of duty." To be eligible, a law enforcement officer must, at the time of injury, have been engaged in the apprehension, protection, or guarding of a person wanted or held for the commission of a crime. A firefighter must have been engaged in fighting a fire. The provisions of each of the bills would apply with respect to any eligible public safety officer who dies as the direct and proximate result of a personal injury sustained on or after October 11, 1972.

Mr. Chairman, I would offer one suggested revision to the pending legislation. I believe that the term "eligible public safety officer" should be defined to include both law enforcement officers as defined in H.R. 3544 and firemen who serve as officially recognized or designated members of a legally organized volunteer fire department.

Once again, permit me to commend the very fine work of this Subcommittee and to thank you for the opportunity of testifying on this extremely vital legislation.

STATEMENT OF HON. HENRY HELSTOSKI, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF NEW JERSEY

Mr. Chairman, I wish to commend you and the Members of this Subcommittee for holding these most important hearings on bills which would provide death benefits to survivors of public safety officers killed in the performance of duty.

I have been a sponsor and an advocate of related legislation for the past several years. It is my sincere hope that your deliberations will lead to early approval of a comprehensive bill which will merit the prompt and favorable attention of the full Judiciary Committee.

Differing versions of similar measures were passed by the House and the Senate in the closing days of the 92nd Congress, and again in the 93rd Congress. As you are probably aware, this inability to enact a bill despite overwhelming votes in favor of passage of such legislation has seriously and understandably undermined the morale of our nation's public safety officers.

I would like to offer the suggestion that broad latitude be used in the definition of "public safety officers" to be covered under the provisions of the measure which you approve. The two bills, H.R. 3105 and H.R. 5168, which I have sponsored this session relative to death and disability benefits would extend coverage to police officers, firefighters (paid or volunteer), correctional officers, and members of ambulance teams and rescue squads.

Although I note that the three bills which you presently have under active consideration are restricted to the provision of death benefits for survivors, I nevertheless urge you to include disability benefits in the legislation which you report to the full Committee. When a law enforcement officer, firefighter, or rescue worker suffers a permanent disability in the line of duty, a \$50,000 gratuity would amount to minimal compensation for such a tragic, personal sacrifice.

Hundreds of lives have been lost and severe injuries have been sustained in recent years by courageous public safety officers. Yet, our society offers too little in the way of expressing our gratitude for the heroic deeds of these men and women. Generally, they are underpaid, especially when measured against the benefits which we, in our communities everywhere, derive from their bravery. We depend on these guardians of public safety and welfare, but we are complacent about the extent of the dangers and risks inherent in these increasingly hazardous occupations.

All too often when a young policeman is slain or a fireman's life is taken in an effort to protect or save others, his family is faced with an uncertain future. It is not too much for these public safety officers to ask that should they be killed or disabled in the performance of their duties, their families will receive some financial assistance. Although we could never begin to replace that grievous loss, surely we have an obligation to try to ease the financial burden with which these families are frequently left.

Many of the Members of your distinguished Committee share my longstanding interest in the passage of legislation which gives overdue recognition to the extraordinary sacrifices made by law enforcement officers and firefighters on behalf of the public well-being. I urge you to act expeditiously on this very significant issue by approving a strong bill.

STATEMENT OF HON. TOM RAILSBACK, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF ILLINOIS

Mr. Chairman and Members of the Subcommittee, all too frequently we pick up a newspaper only to find that, once again, a public safety officer has been injured or killed. As of November 3rd of this year, there have been 104 law enforcement officers who have lost their lives in the line of duty.

We in Congress have been aware of the special plight of our policemen and other law enforcement officers, such as prison guards, who risk their lives doing their job. In two Congresses now, we have passed the Public Safety Officers Benefits Act in the House and Senate but a final conference report has not been agreed upon so that we might send this legislation to the President for his signature.

I have again sponsored a similar bill in this session. H.R. 2842 would amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain law enforcement officers who die in the performance of their duty. Should such an officer be killed under these conditions, his surviving spouse or family would receive \$50,000 and this amount would be payable from Federal grants to the States.

We are all aware of the severe occupational hazards which men in the dangerous field of law enforcement must live with daily and yet many States have failed to provide sufficient death benefits for their survivors. I strongly feel that this legislation should receive the priority it deserves—H.R. 2842 should be considered and enacted early, for it is compassionate and just legislation.

The question has been raised as to whether it should be the Federal responsibility to provide such death benefits to survivors of State and local law enforcement personnel killed in the line of duty. I believe it is necessary to establish a Federal standard for these benefits for survivors of public safety officers, prosecuting attorneys, judges, and prison guards, since several States offer virtually no financial assistance and other States have only meager programs in this regard.

Our obligation is just as great, whether a law enforcement officer serves at the Federal, State or local level. Enforcing the laws of our country has become increasingly hazardous. To attract capable, responsible men and women, we owe them the security and the peace of mind which comes from knowing that if harm should befall them, their own family would not be forced to suffer unduly for financial reasons.

I am aware that a \$50,000 payment provides only small comfort to those who must suffer the loss of a loved one, but this death gratuity has become an economic necessity as much as a humanitarian symbol. Studies have shown that most officers who have been slain in the line of duty were the head of a young, struggling family. As staggering as his death is for the loved ones to accept emotionally, there are still the harsh economic realities of bills to be paid, and the necessities of living to be faced. This payment could serve to assist them in their transition period following the death of that person who in most cases has been the head of the household. Due to our Congressional inaction, the widows of these men are inheriting a truly bleak future. We must not wait to take positive action on providing them a means toward some financial independence—the minimum debt of gratitude for their husbands' services.

The wave of crime that has hit our nation costs all of us dearly in restricting our sense of freedom and security. But it is the law enforcement official who puts his very life on the line. These men confront the problems of our communities on a one-to-one basis. They work tirelessly to mend the cut and broken fabric of our society. We must do everything possible to help them, and I feel the best way is to act affirmatively on this legislation that will at least ease an officer's mind in terms of the security of his family should something tragic befall him.

The passage of H.R. 2842 would be a way to say we realize the dangers public safety officers face everyday and we want to protect their families as they protect us. I urge the quick and favorable passage of this crucial legislation.

STATEMENT OF HON. ROBERT A. ROE, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF NEW JERSEY

Mr. Chairman, as a sponsor of H.R. 3479 to amend the Omnibus Crime Control and Safe Streets Act of 1968 (as amended) to provide benefits to survivors of certain public safety officers including policemen, firemen, volunteer firemen, and members of volunteer ambulance teams or rescue squads who die in the performance of duty, I am pleased and privileged to join with my distinguished colleagues in support of this legislation which is the subject of your hearings today.

I can state unequivocally that this legislation is one of my highest priorities and one which has had my fullest support in the past two Congresses as well as in the 94th. It is, in fact, a societal obligation, not luxury, to provide some semblance of financial security to dependents of public safety officers who die while protecting that society. Part of this obligation can be realized readily via an act of Congress such as my bill, H.R. 3479 and/or the many similar bills before this Subcommittee.

One of our surest commitments, as a Congress and as people, should be to those who daily risk their own lives in behalf of others. Such service to humanity is the ultimate sacrifice and the fact such sacrifice is made through structured roles such as the police force, fire or rescue squads should in no way diminish the unselfishness of those performing these duties. One concrete assurance which can be extended to these individuals is that should they suffer a personal injury in the line of duty which results in death, their families and/or eligible dependents will not be suddenly, in some cases, devoid of minimum financial security. This, of course, in no way compensates for the loss of a loved one but, being realistic, one major burden i.e. the financial one must be faced and this measure is a concrete step of partial reassurance in this area.

Another aspect of vital importance is the ongoing necessity of adequate recruitment of personnel and volunteers in these public service areas. Needless to say, quality is as important as quantity and, facing facts, one should realize this added security in a profession involving the consistently high risk of personal life is not an extravagance to be debated endlessly Congress after Congress but a necessity to be legislatively facilitated as promptly as possible. It is this necessity for survivors' benefits which my bill permits. It is only applicable when death results from the performance of duty. It is truly a small fiscal price to pay for insuring the availability of dedicated public safety officers to protect the public good.

I strongly urge this Subcommittee to take positive and prompt action on this legislation as I truly believe it is of the greatest importance among the legislative responsibilities before us. The families of public service officers who, in the line of duty, have sacrificed their lives unselfishly deserve the concrete recognition and attention of this Congress. In this legislation before you there is the availability of a vehicle for achieving part of this goal. It is up to this Subcommittee to take the first step in this direction.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 1, 1975.

HON. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration, Citizenship, and International Law,
Committee on the Judiciary, Washington, D.C.

DEAR MR. CHAIRMAN: Mr. Chairman and members of the subcommittee, I am pleased to be able to express my support for H.R. 3929, the Public Safety Officers Benefits Act.

I also wish to present, for inclusion in the record, two additional letters of support, one from Denver Police Union Local 109 and the other from the Denver Police Chief.

With kind regards.

Sincerely,

PATRICIA SCHROEDER,
Congresswoman.

DENVER POLICE UNION LOCAL 109,
Denver, Colo., September 18, 1975.

HON. PATRICIA SCHROEDER,
Longworth House Office Building,
Washington, D.C.

DEAR MRS. SCHROEDER: This letter is in regard to bill S. 1527 introduced by Senator Frank E. Moss from Utah providing for a \$25,000.00 death benefit for survivors of slain peace officers and also including a scholarship bill.

The 1,000 plus members of the Denver Police Union Local 109 urge you to support this bill by any means available to you. We are definitely in favor of this bill and any assistance and support you can lend will be greatly appreciated.

Yours very truly,

STAN W. FLINT,
President.

CITY AND COUNTY OF DENVER,
DEPARTMENT OF SAFETY,
Denver, Colo., September 22, 1975.

HON. PATRICIA SCHROEDER,
Member of Congress, House of Representatives, Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSWOMAN SCHROEDER: I am writing to encourage your support for S-1527 Public Safety Officers Benefit Act of 1975.

The Denver Police Department has had seven officers killed in the line of duty since 1962. As you know, each incident is sad and heart-rendering and always so senseless, but each points out the inadequate benefits and resources left to the widows and orphans of the deceased. Some efforts have been made locally to

help, but not enough has been done. State Compensation Insurance and dependents benefits are paid through the City and County of Denver Charter (I am enclosing a copy of that section of the Charter).

S-1527 would bridge the gap by providing both financial aid and assurance of educational benefits. The overall cost would not be great, but would give great comfort and security to the family.

I will appreciate any assistance and support you may be able to extend on this Bill.

Sincerely,

ARTHUR G. DILL,
Chief of Police.

C5.40-1 * * * Upon the death of a member of the Police Department, the cash benefits attributable to the member's accumulated sick leave and vacation time shall be paid to the member's surviving spouse or if there be no surviving spouse, then to the member's surviving child or children, or if there be no surviving child or children, then to the member's estate.

C5.41-4 Hospital-Medical Benefits. The City and County of Denver shall contribute to each member of the Police Department in the Classified Service an amount equal to the amount contributed for other City and County of Denver employees toward the cost of City and County of Denver sponsored hospital-medical benefits.

C5.41-5 Holidays. The following days are recognized as holidays for the purposes provided herein:

New Year's Day (January 1).

Washington's Birthday (Third Monday in February).

Memorial Day (Last Monday in May).

Independence Day (July 4).

Labor Day (First Monday in September).

General Election Day (Tuesday following first Monday in November in even-numbered years).

Veteran's Day (Fourth Monday in October).

Thanksgiving Day (Fourth Thursday in November).

Christmas Day (December 25).

Each member of the Police Department in the Classified Service, employed at the time of each of the above holidays, shall be paid, in addition to regular compensation, an additional day's compensation at his straight time rate.

C5.41-6 Equipment Allowance. An annual allowance of Fifty (\$50.00) Dollars shall be paid to each member of the Police Department in the Classified Service required to wear firearms. This payment shall be made at the end of each calendar year or upon termination or retirement from the Police Department, of each qualified member who has served during the year.

STATEMENT OF GLEN D. KING, EXECUTIVE DIRECTOR, INTERNATIONAL
ASSOCIATION OF CHIEFS OF POLICE

Mr. Chairman and members of the Subcommittee on Immigration, Citizenship and International Law, my name is Glen King and I am executive director of the International Association of Chiefs of Police.

The association is professionally recognized as the official voice of executive law enforcement throughout the country.

On behalf of the more than ten thousand police officials who comprise the membership of the IACP, I welcome the opportunity to offer testimony in support of H.R. 365, 366 and 3544.

I would like to extend my apologies for being unable to attend the hearings on these bills.

During your proceedings, our association was meeting in annual conference in Denver, Colorado.

One of the critical issues discussed at that conference was the same problem facing your committee—the indiscriminate slaying of our police officers.

The security and well-being of our Nation's citizens depends upon the police officer as its first line of defense.

But that perimeter is weakening.

It is being assaulted by the factions of our society which would destroy our democratic system of government through violence.

It is being undermined by public apathy.

And it is being threatened by Legislative indifference and painfully slow court-room machinery.

In 1974, a total of one hundred and thirty two of our Nation's police officers were killed by criminal assaults.

In one incident, a sergeant and patrolman went to a home after receiving a report of a domestic quarrel and a shooting.

When they arrived at the scene, the two men were met by a volley of gunfire.

While attempting to take cover, the sergeant, an eleven-year veteran of the force, was fatally shot in the chest.

His partner, who had been on the force for four years, died from a bullet wound in the head.

A state trooper citing a motorist for a traffic violation was killed in an unprovoked attack when a car traveling in the opposite direction crossed the center line and struck the trooper.

The suspect, a nineteen-year-old man, was found to have received several tickets by the trooper.

The chief of police of a California town was making a speech to a civic group in a local church when six rounds from a .30 caliber rifle were fired through a church window.

The chief, an eleven-year veteran of law enforcement, was hit in the throat and killed.

Three other people in the church were wounded in the attack.

Our files and the files of the FBI are full of accounts of tragedies such as this. In incident after incident, we find evidence of efforts to remove the police from our streets through terrorism.

Despite our efforts to combat this menace, it seems to grow every year.

The bills under consideration by your subcommittee will not stop the murder of police officers.

But they will offer a small acknowledgement of the debt we all owe to those men and women who have chosen to pursue law enforcement careers.

Present Federal laws provide for dependents' compensation for police officers killed in the line of duty while enforcing Federal laws.

There are also State and local laws that provide benefits, as well as workmen's compensation, group life insurance and charitable donations.

Compensation differs in each State, and there are as many variations as there are individual agencies.

On many cases, administrative red tape and procedures tie up funds for years before any actual benefits are realized.

A single federally sponsored and administered law will alleviate the weaknesses in these systems.

It will provide a comprehensive series of benefits for the families of public safety officers killed while doing their jobs.

The law enforcement community in the United States needs this kind of law. We must not turn our backs on the anguish and poverty suffered by the survivors of law officers slain while protecting our rights and liberties.

Your task carries an awesome responsibility.

I am convinced your decisions will be the right ones.

Thank you.

THE LIBRARY OF CONGRESS,
CONGRESSIONAL RESEARCH SERVICE,
Washington, D.C., September 17, 1975.

To: House Judiciary Committee.

From: American Law Division.

Subject: Lump-Sum Death Benefits Payable to Public Safety Officers.

Reference is made to your inquiry of September 3, 1975, requesting a fifty (50) state survey to determine the lump-sum death benefits payable to public safety officers and to our telephone conversation with respect thereto.

A survey of the indexes to the codes of several representative states failed to reveal or indicate any statutory provisions which provided lump-sum death benefit payments to public safety officers. Thus, we are of the opinion that such benefits, in general or if available, may fall within retirement or employee survivor plans worked out with respect to each individual jurisdiction or agency involved and that the only method of obtaining reliable information concerning such lump-sum payments would be by submitting a questionnaire to the appropriate official of each of the several states or representatives local jurisdiction.

It is pointed out, however, that death benefits are available under Workers' Compensation Statutes in each of the several states. A tabulation of such statutes is attached.

In addition, we were able to obtain a survey of pension benefits for police officers in several representative metropolitan areas from the International Association of Chiefs of Police. A copy of that survey is attached.

We hope the material provided herewith will be helpful. If it is desired that a questionnaire be submitted to each of the several states, please advise.

ALBERT M. PERRY,
Legislative Attorney.

TABLE 3.—GENERAL ADMINISTRATIVE SURVEY

City	Retirement contribution (percent) (32)			Minimum retirement provisions (33)			Maximum retirement provisions (34)		
	By officer	By city	Years service	Age	Benefits	Years service	Compulsory retirement age	Benefits	
Atlanta, Ga.	6	6	10	None	Prorated on a 35 yr. pension	25	65	Plus 1½% each year over 25 years service.	
Baltimore, Md.	16	17.75	25	50	50	25	55	66 ⅔% avg. pay per year of last 5 years service.	
Birmingham, Ala.	8.35	9.35	25	46	50% of final avg. salary	30	70	50% of final avg. + ½% for each year over 25.	
Boston, Mass.	5	Balance	20	55	2% F.C. (high 3 yrs.) x years service	20	65	0.25% avg. high 3 yrs. salary x yrs. service: max. 80% of high 3.	
Buffalo, N. Y.	None	10	25	55	1/20th F.C. x yrs. service and annuity	25	62	50% F.C. (High 3 yrs.) + 1/60th for each yr. over 25.	
Cincinnati, Ohio	7	12.5	25	52	2% of avg. annual sal. (high 5 yrs.) x number of yrs. service.	33	70	66% of base pay (high 5 yrs.).	
Cleveland, Ohio	7	13.66	25	52	50% of avg. high 5 years service	33	70	66% of avg. high 5 years service.	
Columbus, Ohio	7	14.47	25	52	2% per yr. of service	33	70	2% per year of service to 66%.	
Dallas, Tex.	25	15	20	55	50% of Ptl. base salary + 50% longevity	35	65	8% of Ptl. base salary + 50% longevity.	
Denver, Colo.	3.5	(9)	25	50	50% of last year salary	25	65	50% of last year salary.	
El Paso, Tex.	6	18	25	50	50% salary of rank held	25	65	50%.	
Fort Worth, Tex.	6	9	25	55	1 ⅓% x avg. high 5 yrs. — 5% for each yr. under age 60.	25	60	Same as #33 except no reduction after 35 yrs. serv. or age 60.	
Honolulu, Hawaii	10.4	10.4	25	55	80% of avg. 5 yrs. F.C.	25	70	2½% for each yr. service based on avg. high 5 yrs comp.	
Indianapolis, Ind.	3	97	20	44	50% of 1st grade Ptl. salary with 10 yrs. service.	32	70	2% for each yr. service over 20 yrs. to max. of 74%.	
Jacksonville, Fla.	6	6	25	50	2% of F.C. x yrs. service.	30	65	65% avg. last 3 yrs.	
Kansas City, Mo.	6	12	25	None	2% of F.C. x yrs. service.	30	65	Same as #33.	
Long Beach, Calif.	9	26.968	20	50	\$100	30	60	75% of final compensation.	

Louisville, Ky.....	5½	Balance	20	55	2% x yrs. service x high 5 years	33½	62	65¾% F.C.
Memphis, Tenn.....	8.5	11.9	15	50	50% of gross salary per year	25	60	Same as 33.
Miami, Fla.....	6	(?)	20	50	32½% of top grade PII's pay	20	65	40/80ths of top grade PII's pay.
Minneapolis, Minn.....	(?)	(?)	20	55	50% of salary	20	62	50% of salary.
Nashville-Davidson, Tenn.....	(?)	9.58	25	51	50% of salary	44	65	50% sal. + 1% for each yr. over 25.
Newark, N.J.....	5	Balance	20	50	50% of salary	30	68	80% of salary.
New Orleans, La.....	None	100	32	55	1% of base pay of last 3 years	34	62	68% per yr. after eligibility for ret.; max.
Norfolk, Va.....	4.74 to 7	9.42	25	55	1% of base pay of last 3 years	35	65	1¾% per yr. after eligibility for ret.; max.
Oakland, Calif.....								66¾%.
Oklahoma City, Okla.....	6	8.5	20	None	50% avg. pay last 30 months	32½	62	75% avg. pay last 5 yrs. of service.
Omaha, Nebr.....	7	+7	25	55	50% monthly income for the highest 12 months	25	62	Same as 33.
Phoenix, Ariz.....	5	11.96	20	None	50% of avg. last 5 yrs.	30	64	60% of avg. last 5 yrs.
Pittsburgh, Pa.....	6.5	0	20	50	50% of pay, highest 36 mos.	30	65	50% of pay.
Portland, Oreg.....	7	21	20	55	40% PII base salary	30	64	60% PII base salary.
St. Louis, Mo.....	7	16.60	20	None	1½% avg. F.C. (last 5 yrs.) x yrs. service	None	65	Same as 33.
St. Paul, Minn.....	5	17	20	50	40% PII salary	25	65	50% PII salary.
San Antonio, Tex.....	7.5	+7.5	20	None	40% of base sal. + longevity, avg. high 5 yrs.	30	65	60% of base sal. + longevity avg. high 5 yrs.
San Diego, Calif.....	(?)	(?)	20	50	High 3 yrs. avg. x yrs. of service x 2%	20	65	High 3 yrs. salary x yrs. serv. x 2%, Bonus for serv. over age 50.
San Francisco, Calif.....	6.5	29.9	25	50	55% based on last yr. of service pay	30	65	70% based on last yr. of service pay.
San Jose, Calif.....	4.34	18.66	20	55	50% x final base pay	30	65	75% x final base pay.
Seattle, Wash.....	6	6	5	20	(?)	20	60	2% of salary after 20 yrs.
Toledo, Ohio.....	7	15.52	25	52	2% x yrs. service x avg. of high 5 yrs. salary	33	65	Same as 33.
Tulsa, Okla.....	7.5	8.5	20	None	50% of final avg. salary	30	70	75% of final avg. salary.
Washington, D.C.....	7	Balance	20	None	50% of salary	30	64	80% of salary.

TABLE 3.—GENERAL ADMINISTRATION SURVEY—Continued

City	Disability pensions—illness and injury		Death benefits: pensions	
	Nonservice connected (35)	Service connected (36)	Surviving children (38)	Other (39)
Atlanta, Ga.	2% x yrs. service	2% x 35 yrs. service of 6th yr. Ptl.'s salary	50% of pension	If no widow, same as widow until age 18
Baltimore, Md.	Depends on yrs. of service	100%—depending on type injury	37.5% of pension	If no widow, same as widow; more if widow is alive
Birmingham, Ala.	40% of mo. sal. at time of disability	60% of mo. sal. at time of serv. connected disability	40% of employee's final avg. sal. (death in line of duty)	\$10 a mo. per child until age 18
Boston, Mass.	Under 55 after 15 yrs. 0.25% avg. high 3 yrs. x yrs. of serv.	56 2/3% salary	56 2/3% service connected	\$312 per yr to age 18
Buffalo, N.Y.	Varies depending on length of service and total compensation	75% Final Compensation	State plan varies: City—1 yr. salary + \$100 a month	State plan varies: City—\$1000 each child under 18
Cincinnati, Ohio	2% x yrs. service	50% of base pay	\$140 per month	\$40 per month
Cleveland, Ohio	2% x yrs. service	66% of salary	\$135 per month	\$50 per month to age 18
Columbus, Ohio	2% annually (after 5 yrs.)	Determined by Pension Bd. (50% max.)	\$130 per month	\$45 per month
Dallas, Tex.	Prorated	Same as 33	25% base salary + 25% longevity	Same as 37
Denver, Colo.	Determined by Pension Board	50% of last yrs. salary	One-third of active officers' base pay	\$30 for 1st child, \$15 each additional to age 17
El Paso, Tex.	50%	50%	1/3 of salary	1/2 salary until age 16, no more than 50% for family
Fort Worth, Tex.	1 1/2% of avg. high 5 yrs. x yrs. serv. min. \$150 per mo.	Full pay	Same formula as member for unmarried widow min. \$100	Same as 37
Honolulu, Hawaii	10 yrs. cred. serv. & below age 55; 25% after 10-15 yrs.	3/4 F.C. less workmen's Compensation award	50% of avg. F.C. less Workmen's Compensation Award	Applies to minor children under age 18
Indianapolis, Ind.	30-50% of 1st grade Ptl. sal. with 10 yrs. serv.-dec. by Pen. Bd.	50% of 1st grade Ptl. salary with 10 yrs. service	30% of 1st grade Ptl. sal. with 10 yrs. until remarriage	10% of 1st grade Ptl. salary with 10 yrs. serv. to age 18
Jacksonville, Fla.	50% sal. for illness, 75% retire. contribs. returned for injury	50% of salary	33 1/3% of salary	\$15 per month per child to age 18
Kansas City, Mo.	2% of F.C. x yrs. service, must have 10 yrs. service	60% of F.C.	25% of F.C. until remarriage	\$25 per month each to age 18
Long Beach, Calif.	1.5% x yrs. service x F.C.	1/2 pay	Non-set-ret. contr. + 1/2 yr. sal serv. -50% to 75% -violent. cond.	If no spouse or children, contrib. return to beneficiary
Louisville, Ky.	After 5 yrs. 2% x yrs. serv. x 5 yr. salary avg.	75% of final salary	70% of earned retirement	Included with widow
Memphis, Tenn.	2% of final avg. pay x yrs. serv. not to exceed 50% or less 25%	50% of final avg. compensation		None
Miami, Fla.	40% of salary	66 2/3% of salary	50% of salary (service connected)	Same as 37

Same as 37 to dependent mother or father.

	3240ths	1940ths	3240ths	1940ths	3240ths	1940ths	Max. of 3240ths
Minneapolis, Minn.	55% plus 10% for children	Same as 35	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Nashville-Davidson, Tenn.	40% of the avg. of last 3 yrs. salary	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Newark, N.J.	40% of the avg. of last 3 yrs. salary	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
New Orleans, La.	2% x yrs. service	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Norfolk, Va.	33 1/3% with 10 or more years service	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Oakland, Calif.	After 15 yrs. total yrs. serv. taken as percent of 20 yrs.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Oklahoma City, Okla.	After 15 yrs. total yrs. serv. taken as percent of 20 yrs.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Omaha, Nebr.	Min. of 10 yrs. service necessary, then pension varies.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Phoenix, Ariz.	Min. 10 yrs. serv.; max. 20 yrs. full pens.; reduced 4% for ae. yr. bel. 20.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Pittsburgh, Pa.	Disability pension after 15 years service.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Portland, Oreg.	2% Ptl. sal. yrs. of serv.; 20% min., 60% max.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
St. Louis, Mo.	After 10 yrs. 1/2% avg. F.C. (last 5 yrs.) x yrs. service.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
St. Paul, Minn.	Regular sick leave	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
San Antonio, Tex.	50% of high 5 yrs. sal., less than 5 yrs. serv. avg. for all yrs.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
San Diego, Calif.	After 10 yrs. serv., 33 1/3% to max. retirement.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
San Francisco, Calif.	Service retirement after 10 years	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
San Jose, Calif.	(?)	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Seattle, Wash.	50% of salary	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Toledo, Ohio	1 1/2% x yrs. service x avg. total salary.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Tulsa, Okla.	(?)	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.
Washington, D.C.	2% x yrs. serv. after 5 yrs. min. 40% and max. 70%.	Determined by Pension Board	65% of salary at time of injury	50% if active; 25% after retirement	50% of salary for life	\$50 per month, maximum 4 children	Dependent parents.

Normal level cost plus 3 percent on deficit.

5.327 percent for each 3 percent.

See attached comments.

3 percent to \$7,800.

Biweekly.

Percent of patrolman base pay.

6 to 9 percent, determined by age at appointment.

6.73 to 9.08 percent.

City and State balance.

TABLE.—BENEFITS FOR SURVIVING SPOUSES AND CHILDREN IN DEATH CASES PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE UNITED STATES

Jurisdiction	Maximum percentage of wages		Maximum period	Payments per week		Total maximum stated in law
	Widow only	Widow plus children		Minimum	Maximum	
Alabama.....	37	66½	500 weeks.	\$30, or actual wage if less.	\$75	\$37, 500
Alaska.....	66½	90	Widowhood; 1½ children until 19 or marriage. ³	\$45 to \$75. ⁴	80 percent of State's average weekly wage (\$198.40). ⁵	
Arizona.....	35	66½	Widowhood; children until 18 or marriage. ³	\$16.15 to \$30.77. ⁴	\$30.77 to \$153.85. ⁴	
Arkansas.....	35	65	do. ³	\$15.	\$66.50.	
California.....	66½	66½	313 weeks. ⁷	\$35. ⁶	\$119. ⁸	\$40,000-45,000
Colorado.....				25 percent of applicable maximum (\$30.03). ¹	66½ percent of State's average weekly wage (\$120.12), plus \$5 for each dependent child. ⁷	
Connecticut.....	66½	66½	Widowhood; children until 18. ¹	\$20.	66½ percent of State's average production wage (\$119).	
Delaware.....	66½	80	Widowhood; 1 child until 18. ¹	22½ percent of State's average weekly wage (\$41.82).	66½ to 80 percent of State's average weekly wage (\$125.47-\$150.56). ⁴	
District of Columbia.....	50	66½	Widowhood; children until 18. ¹	50 percent of national average weekly wage (\$74.57), or worker's actual wage if less.	175 percent of national average weekly wage (\$261). ¹	
Florida.....	45	60	Widowhood; 1 child until 18. ¹	\$20, or actual wage if less.	66½ percent of State's average weekly wage (\$105).	\$50,000
Georgia.....	66½	66½	400 weeks.	\$25, or actual wage if less.	\$95.	\$32,500
Hawaii.....	50	66½	Widowhood; children until 18. ¹	\$38.75, widow or widower. ¹⁰	\$116.19 to \$155. ^{4 10}	(6)(10)
Idaho.....	45	60	500 weeks.	45 percent of State's average weekly wage (\$62.10).	45-60 percent of State's average weekly wage (\$62.10 to \$82.80). ⁴	\$31,050-41,400
Illinois.....	66½	66½	Widowhood; 1½ children until 18. ¹	50 percent of State's average weekly wage in manufacturing industries (\$102.50). ¹¹	100 percent of State's average weekly wage (\$205). ¹¹ ; or 50 percent of decedent's average weekly wage, whichever is greater.	
Indiana.....	66½	66½	500 weeks.	\$50, or average wage if less.	\$30	45,000
Iowa.....	13 80	13 80	Widowhood; 1½ children until 18. ¹	\$18, or actual wage if less.	100 percent of State's average weekly wage (\$160). ¹²	
Kansas.....	13 66½	13 66½	Widowhood; children until 18. ^{1 13}	\$7.	66½ percent of State's average weekly wage (\$103.10). ¹³	13 50,000
Kentucky.....	50	75	Widowhood; children until 18. ¹	20 percent of State's average weekly wage (\$29).	60 percent of State's average weekly wage (\$89).	
Louisiana.....	32½	65	500 weeks.	\$17.50, or actual wage if less.	\$65	
Maine.....	66½	66½	Widowhood; children until 18. ¹	\$25.	100 percent of State's average weekly wage (\$141.41). ¹⁴	
Maryland.....	66½	66½	Widowhood; 1½ children until 18. ¹	\$25, or average wage if less.	100 percent of State's average weekly wage (\$164.59). ¹⁵	(15)
Massachusetts.....			Widowhood; children until 18. ^{1 16}	Same as maximum.	\$55, plus \$5 for each child.	13 16,000
Michigan.....	66½	66½	500 weeks; thereafter to children until 21. ¹	\$70 to \$82. ⁴	\$107 to \$130. ^{4 17}	(17)
Minnesota.....	13 40	66½	Widowhood; children until 18. ^{1 18}	\$17.50, or actual wage if less. ¹⁸	\$100. ¹⁸	13 40,000

Mississippi.....	35	65%	450 weeks	\$10. ¹³	\$53. ¹³	100 percent of State's average weekly wage (\$147).	\$21,000
Missouri.....	65%	65%	Widowhood; children until 18 ^{1,2}	\$16	\$95	100 percent of State's average weekly wage (\$147).	
Montana.....	65%	65%	Widowhood; 1 ¹ children until 18 ^{1,2}	50 percent of State's average weekly wage (\$75.50), or actual wage, if less.			
Nebraska.....	65%	65%	Widowhood; children until 18 ^{1,2}	\$49, or actual wage if less.	\$100	100 percent of State's average monthly wage (\$175.86 weekly).	
Nevada.....	65%	65%	Widowhood; children until 18 ^{1,2}	No statutory minimum.		100 percent of State's average weekly wage (\$221.21).	
New Hampshire.....	(²¹)	(²¹)	400 weeks ²	\$30, or average wage if less.		Two-thirds of State's average weekly wage (\$119).	
New Jersey.....	50	70	Widowhood; ²² children until 18	\$15			(²¹).
New Mexico.....	50	65%	600 weeks	No statutory minimum.	\$50. ²³		
New York.....	65%	65%	Widowhood; children until 18 ^{1,2}	\$12 to \$20 ¹	\$30 to \$95 ¹		
North Carolina.....	65%	65%	Widowhood; children until 18 ^{1,2}	\$20	\$80. ²⁴		
North Dakota.....	65%	65%	Widowhood; children until 18 ^{1,2}	No minimum	\$50 plus \$7 for each child ²⁵		
Ohio.....	65%	65%	Widowhood; children until 18 ^{1,2}	50 percent of State's average weekly wage (\$39.25).		65% percent of State's average weekly wage (\$119).	14,000-25,000 ⁴
Oklahoma.....			Widowhood; 1 children until 18 ¹	Same as maximum	\$83.17 to \$180.17 ⁴		
Oregon.....	51	65%	Widowhood; children until 18 ^{1,2}	5% percent of State's average weekly wage (\$37).		100 percent of State's average weekly wage (\$171).	
Pennsylvania.....	65%	65%	Widowhood; 1 children until 18 ^{1,2}	\$30		65% percent of State's average weekly wage (\$97), plus \$5 for each dependent. ²⁶	
Rhode Island.....	65%	65%	500 weeks ²⁷	\$25		65% percent of State's average weekly wage (\$95.35).	\$40,000
South Carolina.....	65%	65%	Widowhood; 1 children until 18 ^{1,2}	One-half of maximum weekly compensation (\$44), or average weekly wage if less, plus \$50 per month for each child until 18.		65% percent of State's average weekly wage (\$88), plus \$50 per month for each child until 18.	
South Dakota.....	65%	65%	Widowhood; children until 18 ^{1,2}	\$15	\$85		\$34,000
Tennessee.....	50	65%	Widowhood; children until 18 ^{1,2}	\$16. ²⁸	\$70. ²⁸	85 percent of State's average weekly wage (\$131.75).	
Texas.....	65%	65%	Widowhood; children until 18 ^{1,2}	\$45 to \$70 ⁴		65% percent of State's average weekly wage (\$91). ²⁹	(²¹)
Utah.....	65%	65%	312 weeks ²⁷	30 percent of State's average weekly wage (\$45). ²⁹		100 percent of State's average weekly wage (\$149).	
Vermont.....	50	60	Widowhood; children until 18 ^{1,2}	25 percent of State's average weekly wage (\$37.25), or employee's actual wage, if less.			
Virginia.....	65%	65%	Widowhood; children until 18 ^{1,2}	\$43.19 to \$75.11 ^{1,19,30}		75 percent of State's average wage, adjusted annually (\$138.45). ^{31,30}	
Washington.....	60	70	Widowhood; children until 18 ^{1,2}	\$45		100 percent of State's average weekly wage (\$173).	at \$32,400
West Virginia.....	65%	65%	Widowhood; children until 18 ^{1,2}	\$30		50 percent of State's average weekly wage (\$81). ³¹	at \$25,000-45,000
Wisconsin.....	50	(²¹)	400 weeks	No minimum.		65% percent of State's average monthly wage (\$111.03 weekly). ³²	
Wyoming.....			Widowhood; children until 18 ^{1,2}				

See footnotes at end of table.

TABLE.—BENEFITS FOR SURVIVING SPOUSES AND CHILDREN IN DEATH CASES PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE UNITED STATES—Continued

Jurisdiction	Maximum percentage of wages		Widow plus children	Maximum period		Minimum	Payments per week		Total maximum stated in law
	Widow only	Widow plus children		Widow only	Widow plus children		Maximum	Minimum	
United States: ¹	50	75	75	Widowhood; children until 18 ¹	Widowhood; children until 18 ¹	\$57.65	50 percent of national average weekly wage (\$74.57), or worker's actual wage (\$261.14) ²	\$519.23 ³	175 percent of national average weekly wage (\$261.14) ²
FECA	50	66%	66%	Widowhood; children until 18 ¹	Widowhood; children until 18 ¹	\$57.65	50 percent of national average weekly wage (\$74.57), or worker's actual wage (\$261.14) ²	\$519.23 ³	175 percent of national average weekly wage (\$261.14) ²
LS/HWCA	50	66%	66%	Widowhood; children until 18 ¹	Widowhood; children until 18 ¹	\$57.65	50 percent of national average weekly wage (\$74.57), or worker's actual wage (\$261.14) ²	\$519.23 ³	175 percent of national average weekly wage (\$261.14) ²

¹ The term "widowhood" is used to mean the period until the death or remarriage of the widow.

² In some cases, the benefits are paid to a widower.

³ Lump sum of 2 yr benefits payable upon remarriage of surviving spouse in Alaska, Delaware, Mississippi, Montana, Nebraska, Nevada, Pennsylvania, South Carolina, and South Dakota.

⁴ May be continued beyond age 18 (19 in Alaska and Wyoming, and 21 in Michigan) if physically or mentally incapacitated or incapable of self-support. In New York, payments may be continued beyond 18 if dependent child is totally blind or mentally or physically disabled and whose disability is total and permanent. In Hawaii, payments may be continued to unmarried children over 18 if they are incapable of self-support, nor to a surviving spouse who is physically or mentally incapable of self-support. In Missouri, payments may be continued to full-time students until 22; or full-time attendance at an accredited institution to commence prior to 23 yr of age and immediately upon cessation of such active duty. Payments may be continued to full-time students until 21 in Minnesota; until 22 in Florida, Kentucky, Nevada, South Dakota, and Tennessee; until 23 in the District of Columbia, Kansas, Maine, Maryland, Oregon, Pennsylvania, Rhode Island, South Carolina, Virginia, Washington, West Virginia, and under the FECA and LS HWCA; until 25 in Delaware, Illinois, Iowa, Montana, Nebraska, New Hampshire, Ohio, and Texas; and full-time students regardless of age in Massachusetts and Vermont.

⁵ According to number of dependents.

⁶ Alaska: Effective Jan. 1, 1976, maximum weekly benefits will be 100 percent of the State's average weekly wage; Jan. 1, 1977, 133.3 percent; Jan. 1, 1979, 166.6 percent; and Jan. 1, 1981, 200 percent.

⁷ California: In actual practice under its discretionary power, the Workmen's Compensation Appeals Board orders death benefits paid at the maximum weekly rate (\$119).

⁸ Colorado: Effective Sept. 1, 1975, maximum weekly benefits will be 80 percent of the State's average weekly wage (\$144.13); and the minimum will increase to \$36.03. Benefits will be payable to a surviving spouse until death or remarriage, with a lump sum of 2 years benefits upon remarriage.

⁹ LS/HWCA and District of Columbia: Based on 175 percent (maximum \$261, minimum \$74.57) of national average weekly wage from Oct. 1, 1974, to Sept. 30, 1975; and 200 percent beginning Oct. 1, 1975. "National average weekly wage," as determined by the Secretary of Labor, shall be based on the national average weekly earnings of production or nonsupervisory workers on private nonagricultural payrolls.

¹⁰ Georgia: Total maximum applies to surviving spouse who is the sole dependent at the time of death, and where there is no other dependent for 1 yr or less.

¹¹ Hawaii: Lump sum of 2 yr benefits to widow upon remarriage. Total maximum is the product of 312 times the State's average weekly wage.

¹² Illinois: Lump sum of 2 yr benefits payable upon remarriage of surviving spouse in cases where the deceased left no children entitled to benefits. Benefits to a surviving child under 18 at time of decedent's death shall continue for a period of not less than 6 yr. Effective July 1, 1977, maximum weekly benefits will be based on 133 1/3 percent of the State's average weekly wage in manufacturing industries; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

¹³ Iowa: Maximum percentage of wages based on employee's average weekly spendable earnings. Lump sum of 2 yr benefits payable to widow or widower upon remarriage if there are no children entitled to benefits. Effective July 1, 1979, maximum weekly benefits will be 133 1/3 percent of the State's average weekly wage; July 1, 1979, 166 2/3 percent; and beginning July 1, 1981, 200 percent.

¹⁴ Kansas: Maximum percentage of wages based on employee's average gross weekly wage. Lump sum of 100 weeks benefits upon remarriage of surviving spouse. If periodic benefits are payable under the Federal OASDI, the workmen's compensation weekly benefit shall be reduced by 1/2 the amount of such Federal benefit for such week. Total maximum of \$50,000 may be exceeded in the case of minor children.

¹⁵ Maine: Effective July 1, 1977, maximum weekly compensation will be 133 1/3 percent of State's average weekly wage; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

¹⁶ Maryland: Provides for continuing spouse, after a maximum of \$45,000 has been paid, if still wholly dependent. Upon remarriage of surviving spouse, 2 yr-compensation payable.

¹⁷ Massachusetts: Benefits continue to widows during periods they are not fully self-supporting. The maximum benefit rate is adjusted annually on the basis of a \$1 increase or decrease for each \$1.50 increase or decrease in the State's average weekly wage.

¹⁸ Michigan: The maximum benefit rate is adjusted annually on the basis of a \$1 increase or decrease for each \$1.50 increase or decrease in the State's average weekly wage.

¹⁹ Minnesota: Combined total weekly governmental survival benefits and State workmen's compensation death benefits shall not exceed 100 percent of the deceased employee's weekly wage at time of death; workmen's compensation benefits shall not be payable for any week in which survivor benefits payable under the Federal program exceed 100 percent of such weekly wage. Effective Aug. 1, 1975, there will be no statutory minimum weekly payment; benefits will be payable during widow or widowerhood, and to children in school until age 21. For injuries occurring after Oct. 1, 1975, benefits shall on Oct. 1, 1976, and each Oct. 1 thereafter be adjusted according to a specified formula tying them to the State's average weekly wage. Effective Oct. 1, 1975, the maximum percentage of wages used in computing benefits for a widow only will be 50; a lump sum of 2 yr benefits will be payable to a surviving spouse upon remarriage; the maximum weekly payment will be \$135; and the total maximum of \$40,000 will be eliminated.

²⁰ Missouri: Lump sum of 2 yr benefits payable upon remarriage of surviving spouse in cases where the deceased left no children entitled to benefits. Benefits to a surviving child under 18 at time of decedent's death shall continue for a period of not less than 6 yr. Effective July 1, 1977, maximum weekly benefits will be based on 133 1/3 percent of the State's average weekly wage in manufacturing industries; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

²¹ Montana: Maximum percentage of wages based on employee's average weekly spendable earnings. Lump sum of 2 yr benefits payable to widow or widower upon remarriage if there are no children entitled to benefits. Effective July 1, 1979, maximum weekly benefits will be 133 1/3 percent of the State's average weekly wage; July 1, 1979, 166 2/3 percent; and beginning July 1, 1981, 200 percent.

²² Nebraska: Maximum percentage of wages based on employee's average gross weekly wage. Lump sum of 100 weeks benefits upon remarriage of surviving spouse. If periodic benefits are payable under the Federal OASDI, the workmen's compensation weekly benefit shall be reduced by 1/2 the amount of such Federal benefit for such week. Total maximum of \$50,000 may be exceeded in the case of minor children.

²³ Nevada: Effective July 1, 1977, maximum weekly compensation will be 133 1/3 percent of State's average weekly wage; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

²⁴ New Hampshire: Provides for continuing spouse, after a maximum of \$45,000 has been paid, if still wholly dependent. Upon remarriage of surviving spouse, 2 yr-compensation payable.

²⁵ New Jersey: Benefits continue to widows during periods they are not fully self-supporting. The maximum benefit rate is adjusted annually on the basis of a \$1 increase or decrease for each \$1.50 increase or decrease in the State's average weekly wage.

²⁶ New Mexico: Combined total weekly governmental survival benefits and State workmen's compensation death benefits shall not exceed 100 percent of the deceased employee's weekly wage at time of death; workmen's compensation benefits shall not be payable for any week in which survivor benefits payable under the Federal program exceed 100 percent of such weekly wage. Effective Aug. 1, 1975, there will be no statutory minimum weekly payment; benefits will be payable during widow or widowerhood, and to children in school until age 21. For injuries occurring after Oct. 1, 1975, benefits shall on Oct. 1, 1976, and each Oct. 1 thereafter be adjusted according to a specified formula tying them to the State's average weekly wage. Effective Oct. 1, 1975, the maximum percentage of wages used in computing benefits for a widow only will be 50; a lump sum of 2 yr benefits will be payable to a surviving spouse upon remarriage; the maximum weekly payment will be \$135; and the total maximum of \$40,000 will be eliminated.

²⁷ New York: Lump sum of 2 yr benefits payable upon remarriage of surviving spouse in cases where the deceased left no children entitled to benefits. Benefits to a surviving child under 18 at time of decedent's death shall continue for a period of not less than 6 yr. Effective July 1, 1977, maximum weekly benefits will be based on 133 1/3 percent of the State's average weekly wage in manufacturing industries; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

²⁸ North Carolina: Maximum percentage of wages based on employee's average gross weekly wage. Lump sum of 100 weeks benefits upon remarriage of surviving spouse. If periodic benefits are payable under the Federal OASDI, the workmen's compensation weekly benefit shall be reduced by 1/2 the amount of such Federal benefit for such week. Total maximum of \$50,000 may be exceeded in the case of minor children.

²⁹ North Dakota: Effective July 1, 1977, maximum weekly compensation will be 133 1/3 percent of State's average weekly wage; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

³⁰ Ohio: Provides for continuing spouse, after a maximum of \$45,000 has been paid, if still wholly dependent. Upon remarriage of surviving spouse, 2 yr-compensation payable.

³¹ Oklahoma: Benefits continue to widows during periods they are not fully self-supporting. The maximum benefit rate is adjusted annually on the basis of a \$1 increase or decrease for each \$1.50 increase or decrease in the State's average weekly wage.

³² Oregon: Combined total weekly governmental survival benefits and State workmen's compensation death benefits shall not exceed 100 percent of the deceased employee's weekly wage at time of death; workmen's compensation benefits shall not be payable for any week in which survivor benefits payable under the Federal program exceed 100 percent of such weekly wage. Effective Aug. 1, 1975, there will be no statutory minimum weekly payment; benefits will be payable during widow or widowerhood, and to children in school until age 21. For injuries occurring after Oct. 1, 1975, benefits shall on Oct. 1, 1976, and each Oct. 1 thereafter be adjusted according to a specified formula tying them to the State's average weekly wage. Effective Oct. 1, 1975, the maximum percentage of wages used in computing benefits for a widow only will be 50; a lump sum of 2 yr benefits will be payable to a surviving spouse upon remarriage; the maximum weekly payment will be \$135; and the total maximum of \$40,000 will be eliminated.

³³ Pennsylvania: Lump sum of 2 yr benefits payable upon remarriage of surviving spouse in cases where the deceased left no children entitled to benefits. Benefits to a surviving child under 18 at time of decedent's death shall continue for a period of not less than 6 yr. Effective July 1, 1977, maximum weekly benefits will be based on 133 1/3 percent of the State's average weekly wage in manufacturing industries; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

³⁴ Rhode Island: Maximum percentage of wages based on employee's average gross weekly wage. Lump sum of 100 weeks benefits upon remarriage of surviving spouse. If periodic benefits are payable under the Federal OASDI, the workmen's compensation weekly benefit shall be reduced by 1/2 the amount of such Federal benefit for such week. Total maximum of \$50,000 may be exceeded in the case of minor children.

³⁵ South Carolina: Effective July 1, 1977, maximum weekly compensation will be 133 1/3 percent of State's average weekly wage; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

³⁶ South Dakota: Provides for continuing spouse, after a maximum of \$45,000 has been paid, if still wholly dependent. Upon remarriage of surviving spouse, 2 yr-compensation payable.

³⁷ Tennessee: Benefits continue to widows during periods they are not fully self-supporting. The maximum benefit rate is adjusted annually on the basis of a \$1 increase or decrease for each \$1.50 increase or decrease in the State's average weekly wage.

³⁸ Texas: Combined total weekly governmental survival benefits and State workmen's compensation death benefits shall not exceed 100 percent of the deceased employee's weekly wage at time of death; workmen's compensation benefits shall not be payable for any week in which survivor benefits payable under the Federal program exceed 100 percent of such weekly wage. Effective Aug. 1, 1975, there will be no statutory minimum weekly payment; benefits will be payable during widow or widowerhood, and to children in school until age 21. For injuries occurring after Oct. 1, 1975, benefits shall on Oct. 1, 1976, and each Oct. 1 thereafter be adjusted according to a specified formula tying them to the State's average weekly wage. Effective Oct. 1, 1975, the maximum percentage of wages used in computing benefits for a widow only will be 50; a lump sum of 2 yr benefits will be payable to a surviving spouse upon remarriage; the maximum weekly payment will be \$135; and the total maximum of \$40,000 will be eliminated.

³⁹ Utah: Lump sum of 2 yr benefits payable upon remarriage of surviving spouse in cases where the deceased left no children entitled to benefits. Benefits to a surviving child under 18 at time of decedent's death shall continue for a period of not less than 6 yr. Effective July 1, 1977, maximum weekly benefits will be based on 133 1/3 percent of the State's average weekly wage in manufacturing industries; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

⁴⁰ Vermont: Maximum percentage of wages based on employee's average weekly spendable earnings. Lump sum of 2 yr benefits payable to widow or widower upon remarriage if there are no children entitled to benefits. Effective July 1, 1979, maximum weekly benefits will be 133 1/3 percent of the State's average weekly wage; July 1, 1979, 166 2/3 percent; and beginning July 1, 1981, 200 percent.

⁴¹ Virginia: Maximum percentage of wages based on employee's average gross weekly wage. Lump sum of 100 weeks benefits upon remarriage of surviving spouse. If periodic benefits are payable under the Federal OASDI, the workmen's compensation weekly benefit shall be reduced by 1/2 the amount of such Federal benefit for such week. Total maximum of \$50,000 may be exceeded in the case of minor children.

⁴² Washington: Effective July 1, 1977, maximum weekly compensation will be 133 1/3 percent of State's average weekly wage; July 1, 1979, 166 2/3 percent; and July 1, 1981, 200 percent.

⁴³ West Virginia: Provides for continuing spouse, after a maximum of \$45,000 has been paid, if still wholly dependent. Upon remarriage of surviving spouse, 2 yr-compensation payable.

⁴⁴ Wisconsin: Benefits continue to widows during periods they are not fully self-supporting. The maximum benefit rate is adjusted annually on the basis of a \$1 increase or decrease for each \$1.50 increase or decrease in the State's average weekly wage.

⁴⁵ Wyoming: Combined total weekly governmental survival benefits and State workmen's compensation death benefits shall not exceed 100 percent of the deceased employee's weekly wage at time of death; workmen's compensation benefits shall not be payable for any week in which survivor benefits payable under the Federal program exceed 100 percent of such weekly wage. Effective Aug. 1, 1975, there will be no statutory minimum weekly payment; benefits will be payable during widow or widowerhood, and to children in school until age 21. For injuries occurring after Oct. 1, 1975, benefits shall on Oct. 1, 1976, and each Oct. 1 thereafter be adjusted according to a specified formula tying them to the State's average weekly wage. Effective Oct. 1, 1975, the maximum percentage of wages used in computing benefits for a widow only will be 50; a lump sum of 2 yr benefits will be payable to a surviving spouse upon remarriage; the maximum weekly payment will be \$135; and the total maximum of \$40,000 will be eliminated.

¹⁹ In addition, lump-sum payment at death of worker: In Mississippi, \$250 to widows; in North Dakota, \$300 to widow and \$100 for each dependent child; in Washington, \$800.

²⁰ Mississippi: Law provides for a total maximum recovery of \$23,500 for an injury to, or death of, an employee, or any combination thereof.

²¹ New Hampshire: Benefits set in accordance with a "wage and compensation schedule," up to average weekly wage of \$138 (maximum payable \$92). If employee's average weekly wage is over \$138, compensation shall be 65% percent of such wage, not to exceed 100 percent of State's average weekly wage rounded to nearest dollar.

²² New Jersey: Any earnings from employment by the widow after 450 weeks of compensation have been paid shall be deducted from the compensation thereafter payable to her.

²³ New Mexico: Effective Jan. 1, 1976, maximum weekly benefits will be 65% percent of the State's average weekly wage; July 1, 1976, 78 percent; July 1, 1977, 89 percent; and July 1, 1978, 100 percent. The total maximum will be an amount equal to 600 multiplied by the maximum weekly compensation payable at the time of injury.

²⁴ North Carolina: Effective Oct. 1, 1975, benefits will be 100 percent of the State's average weekly wage.

²⁵ Rhode Island: Effective Sept. 1, 1975, maximum weekly benefits will be 100 percent of the State's average weekly wage.

²⁶ Texas: Each additional \$10 increase in the average weekly wage for manufacturing production workers, as determined annually, will increase the maximum weekly benefit by \$7, and the minimum by \$1 per week.

²⁷ Utah: After 312 weeks, benefits are payable from special fund for duration of dependency.

²⁸ Vermont: Benefits payable to widows until death; but in no event shall benefits be paid for less than the limit of compensation except in case of her death.

²⁹ Virginia: The total maximum amount payable shall be the result of multiplying the State's average weekly wage for the applicable year by 500. Benefits shall be increased by cost-of-living adjustments for those who receive, under the Workers' Compensation Act and the Federal Old-Age, Survivors and Disability Act, less than 80 percent of the decedent's average monthly wage if death occurred on or after July 1, 1975. Such cost-of-living adjustments shall be determined according to increases as indicated in the Consumer Price Index published by the U.S. Department of Labor annually.

³⁰ Washington: For injuries occurring on or after July 1, 1975, a specified formula provides for an annual adjustment of benefits.

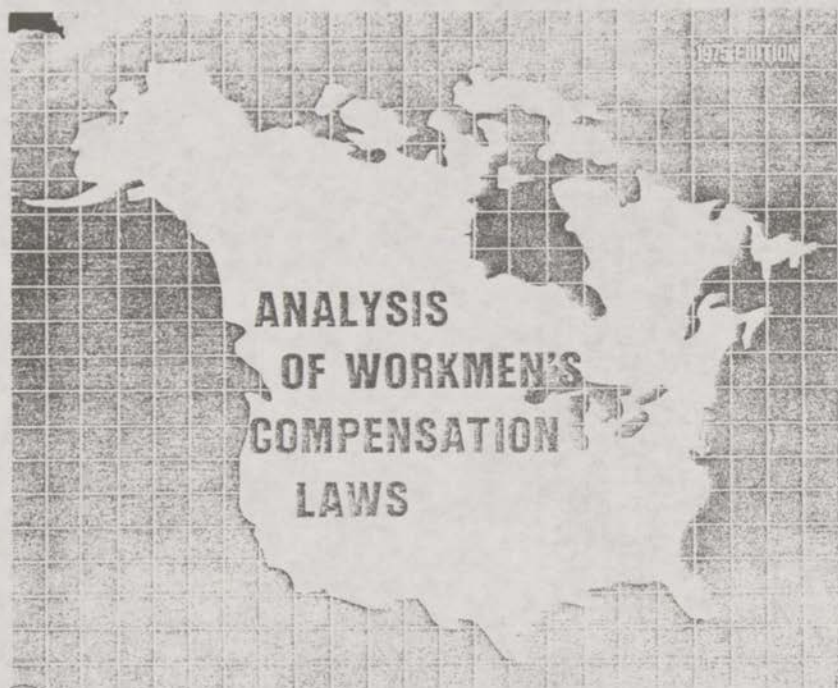
³¹ Wisconsin: Additional benefits payable from children's fund to the widow for children under 16 years of age (13 percent of the widow's benefit is the weekly or monthly allowance made for each dependent child) or for children over 16 if mentally or physically incapacitated.

³² Wyoming: Lump sum of \$500 payable from balance of award upon remarriage. After original award (\$25,000) has been paid in full, payments may continue for life under specified conditions at a maximum rate of 1/4 of the State's average monthly wage (\$55 per week). As to the allowance for the children, the law states there shall be credited to the account of each child a lump sum equivalent to \$60 per month until the time when each of said children would become 19 yr of age; provided that the lump sum credited to the account of all said children shall in no case exceed \$20,000. The total maximum of \$45,000 shown on the table includes the \$20,000.

³³ FECA means Federal Employees' Compensation Act (5 U.S.C. 8101-8150). LS/HWCA means Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 951-950).

³⁴ Federal employees: Based on 75 percent of the pay of specified grade levels in the Federal civil service.

APPENDIX 2



PREPARED AND PUBLISHED ANNUALLY BY THE CHAMBER OF COMMERCE OF THE UNITED STATES

FOREWORD

This Analysis of Workmen's Compensation Laws is a ready reference to the statutory provisions of the laws of the 50 states, the District of Columbia, Guam and Puerto Rico and the Canadian provinces. It outlines, briefly, important provisions of workmen's compensation and is intended to provide both a comparison and an improved understanding of the various laws.

Fourteen detailed charts are presented to aid employers, employees, insurance firms, agents, brokers and others in locating specific provisions of workmen's compensation laws.

Although the Analysis provides essential information needed daily in many business offices, it should not be considered as supplanting exact provisions to be found in statutory texts and law digests.

The underlying data required to bring together this publication was supplied by the American Insurance Association, insurance companies and governmental officials in the several states and other jurisdictions. The legal research, analysis and editing of the charts was furnished by Abraham Farkas, Consultant and member of the New York Bar.

Additional assistance came from other sources, including the casualty insurance industry, the U.S. Department of Labor and the Social Security Administration, U.S. Department of Health, Education and Welfare.

All contributions to this publication are gratefully acknowledged.

Arch N. Booth
President
Chamber of Commerce of the United States

INTRODUCTION

HISTORY OF WORKMEN'S
COMPENSATION and
EMPLOYER'S LIABILITY

Workmen's compensation laws are designed to provide satisfactory means of handling occupational disabilities. As a 20th Century development in the United States, the laws have evolved as the economy became more industrial and less agricultural.

Before these laws were enacted a well-established common-law principle held that a master or employer was responsible for injury or death of employees resulting from a negligent act by him. Thus disabled workers who sued employees for damages had to prove their injuries were due to employer negligence—a slow, costly, uncertain legal process. As business enterprise and machine production expanded, the number of industrial accidents and personal-injury suits increased. At the close of the 19th Century it was apparent that the accepted common-law defenses—contributory negligence, assumption of risk, negligent acts of fellow servants—operated too harshly on claims of disabled workers. This situation led to demands for new legal provisions.

As a result, between 1900 and 1910 so-called employer's liability laws were adopted by many states. Although they tended to modify common-law defenses, in effect they did not prove completely satisfactory; employees still had to prove employer responsibility and negligence. Other legal remedies were urged.

A new answer was forthcoming: In 1911 the first workmen's compensation laws were enacted in the United States on an enduring basis.

Today, each of the 50 states has a workmen's compensation law. The workmen's compensation laws of Guam and Puerto Rico are also outlined in this "Analysis." Federal workmen's compensation laws have been enacted; for example, the Workmen's Compensation Law of the District of Columbia, the Federal Employees' Compensation Act and the U.S. Longshoremen's and Harbor Workers' Compensation Act—the latter providing for private or public employees in nationwide maritime work. Each of the Canadian Provinces has a compensation act.

In essence, workmen's compensation laws hold that industrial employers should assume costs of occupational

disabilities—without regard to any fault involved. Resulting economic losses are considered costs of production—chargeable, to the extent possible, as a price factor. The laws serve to relieve employers of liability from common-law suits involving negligence.

Six basic objectives underlie workmen's compensation laws; they:

1—Provide sure, prompt and reasonable income and medical benefits to work-accident victims, or income benefits to their dependents, regardless of fault;

2—Provide a single remedy and reduce court delays, costs and work loads—arising out of personal-injury litigation;

3—Relieve public and private charities of financial drains—incident to uncompensated industrial accidents;

4—Eliminate payment of fees to lawyers and witnesses as well as time-consuming trials and appeals;

5—Encourage maximum employer interest in safety and rehabilitation—through appropriate experience-rating mechanism; and

6—Promote frank study of causes of accidents (rather than concealment of fault)—reducing preventable accidents and human suffering.

To what extent have the laws achieved desired objectives? Answers to this vary from state to state and depend on many factors including the viewpoint of the appaiser.

However, a 1972 evaluation by the National Commission on State Workmen's Compensation Laws concluded that state laws were not living up to their potential. Despite this negative assessment the Commission was convinced that workmen's compensation is a fundamentally sound system and a valued institution in our industrial economy.

The constructive criticism rendered by the Commission gave new impetus to the development and growth of workmen's compensation laws and these laws now enjoy a more prominent role within the social insurance system of the United States.

INTRODUCTION / GENERAL INFORMATION

This analysis of workmen's compensation laws attempts to provide a ready reference to the statutory provisions found in the laws of the 50 states, the District of Columbia, Guam, Puerto Rico, and the Canadian provinces.

In the following pages, 14 charts will be found grouped under three categories:

- **Coverage of Laws** wherein the various requirements for determining what employments, injuries and diseases are listed (Part I);
- **Benefits** Provided wherein the required income replacement benefits and medical benefits are to be found (Part II);
- **Administration of Laws** wherein the many administrative requirements and safeguards are grouped (Part III).

COMMENTS ON CHARTS

Complete to December 31, 1974, the charts on the following pages present the statutory provisions of the workmen's compensation laws as amended. The effects of many decisions—by courts and administrative agencies—have been taken into account in interpreting these laws.

All provisions presented by the charts in this booklet have required study and interpretation to reduce them to the brief statements found in the charts. In some cases space does not permit sufficient explanation to clarify all points. In such cases it is suggested that the text of the law should be examined.

CANADIAN WORKMEN'S COMPENSATION LAWS

Canadian government employees are compensated under provisions of the Government Employees Compensation Act administered by the Department of Labor. Compensation is paid by the Canadian government; the amount being determined by the provincial Workmen's Compensation Board; payment is in accord with the Workmen's Compensation Act of the Province in which the employee is usually employed.

Those Canadian government and private employees residing in the Northwest Territories may receive compensation under the provisions of the new Workers' Compensation Ordinance effective October 1, 1974. In view of this arrangement, the charts do not include the Canadian Government Compensation Act but do cover private employments.

RECENT CHANGES IN STATE LAWS

The legislatures of forty-three states and Congress, convened in session during 1974.

In all, over one hundred-fifty laws were enacted covering almost every phase of workmen's compensation, such as

increasing benefits, coverage, reducing waiting periods, increasing medical care and improving administration of the laws. Undoubtedly, much of the legislation enacted was a result of the impact of the recommendations of the National Commission accompanied by the caveat that in the event the states failed to improve their laws so as to insure an adequate, prompt and equitable workmen's compensation system, it may become necessary to enact federal legislation requiring minimum standards.

Benefits: Indemnity benefits were increased in forty-two states this year. Of that number, thirty states now provide for the automatic adjustment of benefits, annually, based upon the state average weekly wage. In thirty-three states, the maximum weekly benefit now equals or exceeds 66 2/3% of the average weekly wage for temporary total disability cases while nine states moved to 100%.

Medical Care: In forty-nine jurisdictions, formerly forty-eight, medical care is unlimited. In four states the benefits are limited as follows: Alabama, \$35,000; Louisiana, \$25,000; New Mexico, \$40,000 and Tennessee limits the duration of such benefits to three years. Kansas moved to unlimited care.

Broad Coverage of Occupational Diseases: Broad coverage of occupational diseases is now provided in fifty jurisdictions, an increase from forty-nine. The following three states still retain a schedule of covered diseases: Louisiana, Oklahoma, and Wyoming. Kansas dropped its schedule approach.

Compulsory Coverage: Forty-eight jurisdictions now provide for compulsory coverage under the workmen's compensation law instead of forty-one. Coverage is still elective in five states.

Numerical Exemptions: The number of states providing for numerical exemptions of employees was reduced from fourteen to twelve. Two states eliminated numerical exemptions completely. Georgia reduced the number of exempted employees from four to two, Missouri from six to four and South Carolina from five to three.

NEXT EDITION OF THE ANALYSIS OF WORKMEN'S COMPENSATION LAWS

Forty-nine state legislatures and Congress convene in 1975. Undoubtedly, there will be numerous changes in many workmen's compensation laws. A complete revision of this volume will be printed annually. The 1976 edition will be available in March 1976. It will reflect changes made in workmen's compensation laws up to January 1, 1976.

PART 1 / COVERAGE OF LAWS

A basic and oft repeated objective of workmen's compensation on which there is broad agreement is that coverage under the acts should be virtually, if not completely universal. For various historical, political, economic or administrative reasons no state law covers all forms of employment.

Most of the reasons put forth against extension of coverage have lost their force, and in recent years the percentage of covered workers has begun to increase noticeably. Charts I through III delineate the statutory employment coverage requirements.

Another basic objective for workmen's compensation is to provide compensation for all work-related injuries and diseases. Note that workmen's compensation does not seek to cover all worker health problems. To make this distinction, fairly uniform statutory definitions and tests have been adopted in each state. Typically the statute limits compensation benefits to "personal injury caused by accident arising out of and in the course of employment."

Although the test is fairly uniform, its interpretation has not resulted in completely uniform coverage of injuries and diseases. The most troublesome area in this regard has been the coverage of occupational diseases. Initially, this problem was remedied by providing coverage for specific occupational diseases. With advances in medical technology and increased exposures to a growing number of substances with a variety of physical stresses, it became impractical to define work-related diseases by specific enumeration. Most states have therefore amended their statutes to provide full coverage of occupational diseases. Chart IV portrays the status of the laws on this point.

CHART I: TYPE OF LAW

Compensation laws are compulsory or elective. Under an elective law, the employer may accept or reject the act, but if he rejects it he loses the three common-law defenses—assumption of risk, negligence of fellow employees and contributory negligence. Practically, this means that all the laws, in effect, are "compulsory." A compulsory law requires each employer within its scope to accept its provisions and provide for benefits specified.

Suits for Damages—Under workmen's compensation acts employers generally are exempted from damage suits. Where an employee rejects the act, and sues an employer who has accepted it, the employer usually retains the three common-law defenses. Conditions for rejection of the act often are so severe as to make the privilege virtually inoperative.

CHART 1: INSURANCE REQUIREMENTS

Security for Payment of Benefits—Most jurisdictions require employers to obtain insurance or prove financial ability to carry their own risk.

Chart I notes provisions relating to (1) insurance requirements; (2) penalties for failure to insure; and (3) whether self-insurance is permitted.

Six states and all Provinces require employers to insure in a monopolistic State or Provincial fund; in some instances, employers may qualify as self-insurers. Twelve states permit employers to purchase insurance either from a competitive state fund or private insurance company. Five of the six monopolistic state funds were created between 1913 and 1915, when the principles of workmen's compensation were still new.

The Chamber of Commerce of the United States advocates that employers be permitted to buy private insurance if they so desire and that employers who can qualify be allowed to be self-insurers. Chamber policy states:

"Insurance is an integral part of private enterprise. Insurance should not be regarded as a function to be carried on by the government, and insurance monopolies carried on by governmentally created entities should not be permitted."

Self-Insurers—Some large corporations prefer to assume liability for workmen's compensation and avoid administrative costs associated with insurance policies.

Self-insurance operates best when an employer has a spread of risks so large that he may benefit from the law of large numbers. It is necessary and desirable that the self-insurer establish his own protective services—similar to those insurance companies would furnish for safety engineering and claims adjustment. Also, the self-insurer may have to retain attorneys and doctors to handle problems incident to claims, medical and legal services.

Self-insurance is permitted in 47 states—as shown in Chart I.

Employers may set up a reserve fund for self-insurance to pay compensation and other benefits under the workmen's compensation act of the states. Contrary to the treatment accorded insurance premiums, amounts paid into this reserve fund are not deductible from gross income as a business expense for income tax purposes. However, amounts paid out—as cash or medical benefits—are deductible.

In many cases insurance is purchased because such purchase can dispose of the item of expense and future cost in the current year.

CHART II: PRIVATE AND PUBLIC EMPLOYMENTS

Virtually all industrial employment is covered by workmen's compensation—as Chart II shows in detail; also it indicates the extent of coverage for public employment.

Some jurisdictions cover all private employment; others exempt those with less than a stipulated number of employees. Most jurisdictions specifically exclude certain employments. Due to nature of the work, farm labor, domestic servants and casual employees usually are ex-

cepted. Most jurisdictions permit employees in an exempted class to be brought in voluntarily by the employer or by Board order.

Many jurisdictions provide workmen's compensation for all or certain classes of public employees.

CHART III: MINORS

Minors are covered by workmen's compensation. However, in some jurisdictions double compensation or added penalties are provided—as shown in Chart III. In many states minors also enjoy special legal benefit provisions. These are specifically noted for each state.

Injuries Outside the Jurisdiction—Frequently, when a worker's occupation takes him into another jurisdiction questions arise as to which law determines compensation payable. In effect, most compensation laws are extra-territorial—either by specific provisions or court decision. Answers depend on provisions of the particular laws involved and require consideration of circumstances—such as place and nature of employment, place where contract was made, employee's residence and employer's place of business.

Civil Defense and Other Volunteers—Many states have laws to compensate civil defense and other volunteer workers (as firemen) injured in line of duty. Attention is called to these laws, but no attempt is made to chart their provisions.

CHART IV: OCCUPATIONAL DISEASES

Although workmen's compensation laws initially had no specific provisions for occupational diseases, now all states recognize responsibility for them. Coverage varies—depending partly on the need and pertinency of occupational disease provisions.

Chart IV outlines occupational disease coverage available in each jurisdiction. Generally, compensation is the same as for disabilities noted in Chart V.

Occupational diseases usually become evident during employment or soon after exposure. However, as with radiation disabilities, the disease may be latent for considerable time. As Chart IV notes, many states have extended periods in which claims may be filed concerning certain latent, slowly developing occupational diseases.

Some states impose special restrictions regarding silicosis, asbestosis, radiation disability and occupational loss of hearing due to noise (prolonged exposure cases).

Two equally important problems in the occupational disease field are determining (1) what diseases should be covered by law and (2) how hazards leading to them may be reduced. By combining medical and engineering techniques much progress has been made. This approach requires determinations of the significance of health hazards involved and the design of controls to keep exposures below safety levels established by medical research.

Working independently or with insurance carriers' safety engineers, employers may eliminate many occupational disease hazards. In the development of many new materials and processes, constant vigilance is required of both engineers and doctors. Their cooperation has con-

tributed outstandingly to solutions of many occupational disease problems.

OTHER CONSIDERATIONS

A. Accident Prevention—The encouragement of safety is another basic objective of workmen's compensation. The effort to reduce the frequency and severity of work-related injuries is accomplished in at least two ways.

First, the workmen's compensation program provides employers with preventive services, including safety engineering. This role is assumed by casualty insurance carriers, state funds and safety agencies, and employers. A second general role is to provide a monetary incentive to employers to improve their safety records. Here the insurance premium structure is a primary force.

Costs of accident-prevention services are included in workmen's compensation insurance premiums. Casualty insurance engineers help in setting up accident prevention programs of continuing benefit. Benefits are found in lower insurance rates, increased production efficiency and better use of manpower. Of course, the greatest beneficiaries are those kept from industrial accidents through applications of effective loss-prevention engineering methods.

B. National Rate Administrative Bureau—Premium rates for workmen's compensation insurance are compiled scientifically. Accident experience throughout the nation's industry and business is collected by an agency recognized by all insurance carriers and state fund administrators in the U.S. This agency—the National Council on Compensation Insurance—operates in most states. It grew out of a 1915 conference which agreed that rate making for compensation insurance could not be handled by each state separately. The states that maintain independent agencies cooperate with the Council in making rates. The Council's manual rates generally are a basis for compensation rates charged by stock and mutual companies.

Member companies of the Council report experience incurred under workmen's compensation policies. This experience serves as a basis for workmen's compensation rate determinations in accord with a standard nationwide rate-making procedure approved by the National Association of Insurance Commissioners.

The National Council's basic manual is standard with all insurance companies. It sets forth Council rules, procedures and rates applicable to workmen's compensation insurance. Where statutes provide for rate regulation by a state supervising authority, revised compensation rates and supporting data are filed annually with it; often, public hearings are held before rates are revised. The supervising authority must approve the rates carriers charge. All states now provide for rate regulation by state authority. In Canada rates are in the form of an assessment—established by each Provincial Compensation Board annually by class of risk.

As set forth in the Council's manual, compensation rates are based on payroll. Usually only an estimated premium is collected when the policy is written. After the policy expires, a payroll audit is required. The actual premium is then figured and adjustments made.

January 1, 1975

TYPE OF LAW AND INSURANCE REQUIREMENTS

CHART 1

JURISDICTION	TYPE OF LAW	INSURANCE	SELF-INSURANCE	PENALTIES ON FAILURE TO INSURE
ALABAMA*	Compulsory.	Required.	Permitted.	Fine of not less than \$25 nor more than \$1000. Employer may be enjoined from doing business and liable to suit with defenses abrogated and double amount of compensation.
ALASKA	Compulsory.	Required.	Permitted.	\$1,000 fine, year imprisonment or both. Common law defenses to damage suit abrogated. Presumption that injury is proximate result of negligence of employer. If a corporation, persons in charge shall be personally liable for payment of compensation.
ARIZONA	Compulsory.	Required.	Permitted.	Employer liable to suit with defenses abrogated; 10% penalty of award, expenses and attorney's fees; award paid from Special Fund; injunction against doing business in state.
ARKANSAS	Compulsory.	Required.	Permitted.	\$500 fine or 1 year imprisonment or both; employer liable to suit with defenses abrogated.
CALIFORNIA	Compulsory.	Required.	Permitted.	Misdemeanor. On continuance of Noncompliance for 30 days, mandatory fine of \$200. Compensation may be increased 10%. Employer liable also to suit with defenses abrogated and may be enjoined from doing business. Amount of premium as if insured assessed as penalty payable to Uninsured Employers Fund.
COLORADO	Elective.	Required.	Permitted.	Compensation increased 50% or employer liable to suit with defenses abrogated (at option of employee). Employer may also be enjoined from doing business.
CONNECTICUT	Compulsory.	Required.	Permitted.	Fine of not more than \$100; employer liable to suit within 1 year (defenses abrogated.)
DELAWARE	Compulsory.	Required.	Permitted.	Fine of 10 cents per day per employee (maximum \$50, minimum \$1 per day); if default continues for 30 days employer may be enjoined from doing business. Employer liable to suit with defenses abrogated.
DISTRICT OF COLUMBIA	Compulsory.	Required.	Permitted.	Fine of not more than \$1000 or 1 year imprisonment or both.
FLORIDA	Compulsory.	Required.	Permitted.	Fine of not more than \$500 or not more than 1 year imprisonment, or both; employer liable to suit with defenses abrogated, and may be enjoined from doing business.
GEORGIA	Compulsory.	Required.	Permitted.	Misdemeanor. Compensation may also be increased 10% plus attorney's fees.
GUAM	Compulsory.	Required.	Not permitted.	Misdemeanor, fine of not more than \$1,000 or imprisonment for not more than one year, or both.
HAWAII	Compulsory.	Required.	Permitted.	\$25 or \$1 per employee per day during default, whichever is greater. Injunction against business in the State.
IDAHOO	Compulsory.	Required.	Permitted.	Misdemeanor. Employer also liable to penalty of \$1 per day per employee, and may be enjoined from doing business after 30 days default. For default in premiums to State fund, penalty is \$1 per day per employee, and policy may be canceled after 30 days default.
ILLINOIS	Compulsory.	Required.	Permitted.	Fine of \$100 to \$500 for each day's default.
INDIANA	Compulsory.	Required.	Permitted.	Fine of \$50 to \$500.
IOWA	Compulsory.	Required.	Permitted.	Employer liable to suit with defenses abrogated and presumption of negligence of employer. In coal mining, employer is liable to penalty of \$10 to \$100 per day and may be enjoined from further noncompliance.
KANSAS	Compulsory.	Required.	Permitted.	Employer liable to suit with defenses abrogated.

STATE	COMPULSORY	REQUIRED	PERMITTED	EMPLOYER LIABLE TO SUIT WITH DEFENSES ABROGATED. MAXIMUM FINE \$500 OR 1 YEAR IMPRISONMENT OR BOTH.
KENTUCKY	Compulsory	Required	Permitted	
LOUISIANA	Compulsory	Required	Permitted	12% penalty and attorney's fees for collection of claim.
MAINE	Compulsory	Required	Permitted	Fine of \$1,000 or one year imprisonment, or both. Employer liable to suit with defenses abrogated.
MARYLAND	Compulsory	Required	Permitted	Fine of \$500 to \$5,000 and/or imprisonment for not more than 1 year. Additional penalty for failure to comply with Commission's orders amounting to 6 months imprisonment. Employer also liable to suit with defenses abrogated. Other insurers assessed to pay unpaid claims of insolvent insurer. Fine of \$100 and 15% penalty on award payable to Uninsured Employers Fund.
MASSACHUSETTS	Compulsory	Required	Permitted	Fine of not more than \$500 or imprisonment for not more than 1 year, or both; employer liable to suit with defenses abrogated.
MICHIGAN	Compulsory	Required	Permitted	Fine of \$10 to \$100 or imprisonment for 30 days to 6 months, or both.
MINNESOTA	Compulsory	Required	Permitted	Fine of \$50. For continued noncompliance there is an additional penalty of 5 times lawful premium for period of noncompliance, plus a penalty of 50% or compensation award.
MISSISSIPPI	Compulsory	Required	Permitted	Fine up to \$1000 or one year imprisonment or both. Employer also liable to suit with defenses abrogated.
MISSOURI	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated.
MONTANA	Compulsory	Required	Permitted	On default of payment of premiums to State fund employer liable to suit with defenses abrogated; also may be charged 25% over established rate. Right to insurance in State fund may be canceled within 60 days. Failure of employer to provide security, fine of \$100 to \$500 or imprisonment for not less than 6 months, or both.
NEBRASKA	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated, \$1,000 fine max., 1 yr. imprisonment or both, may be enjoined from doing business.
NEVADA	Compulsory	Required	Not permitted	Employer liable to suit with defenses abrogated and may be enjoined from doing business.
NEW HAMPSHIRE	Compulsory	Required in State fund	Permitted	Fine of \$100 for each day of failure to keep evidence of financial ability on file.
NEW JERSEY	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated. Maximum, punishable by a fine of not more than \$1000 or not more than 60 days imprisonment or both, plus \$25 for each 10 day period but not more than \$100 at any one time. Also assessment of \$150 plus 1% of award up to \$1250 payable to Uninsured Employers Fund.
NEW MEXICO	Compulsory	Required	Permitted	Fine of not more than \$1000. Employer may be enjoined from doing business.
NEW YORK	Compulsory	Required	Permitted	Fine of not more than \$500 or imprisonment for not more than 1 year, or both. Employer liable to suit with certain special defenses abrogated. Additional fine of \$50 if uninsured for less than 10 days.
NORTH CAROLINA	Compulsory	Required	Permitted	Maximum, punishable by fine of 10¢ per day per employee (maximum \$50.00, minimum \$1 per day), imprisonment or both. Employer liable to suit with defenses abrogated.

* IN SOME STATES EMPLOYER MAY NOT BE REQUIRED TO PROVIDE INSURANCE OR SECURITY.

† EMPLOYER PROBABLY REQUIRED TO PROVIDE LIABILITY ONLY TO EXTENT OF MAXIMUM LIABILITY.

‡ IN SOME STATES EMPLOYER MAY NOT BE REQUIRED TO PROVIDE LIABILITY ONLY TO EXTENT OF MAXIMUM LIABILITY.

§ EMPLOYER PROBABLY REQUIRED TO PROVIDE LIABILITY ONLY TO EXTENT OF MAXIMUM LIABILITY.

* Workmen's Compensation Commission may require insurance against catastrophe, other than war.

† Officers and other executives included as employees if insurance purchased but may be excluded.

‡ Council County authorized to establish workmen's compensation fund for its employees and officers. (1967).

CHART I ☐ TYPE OF LAW AND INSURANCE REQUIREMENTS ☐ January 1, 1975 (continued)

JURISDICTION	TYPE OF LAW	INSURANCE	SELF-INSURANCE	PENALTIES ON FAILURE TO INSURE
NORTH DAKOTA	Compulsory.	Required in State fund.	Not permitted.	Misdemeanor punishable by \$500 fine, 1 year imprisonment or both. Uninsured employer liable for damage or injuries or death and cannot avail himself of common law defense. Employer may be enjoined prohibiting him from employing uninsured workers.
OHIO	Compulsory.	Required in State fund.	Permitted.	Fine of not more than \$500, and if willful, imprisonment for not more than 90 days. Employer may be enjoined from doing business. Employer is also liable to suit with defenses abrogated.
OKLAHOMA	Compulsory.	Required.	Permitted.	Penalty of \$1 per day per employee. Employer liable to suit with defenses abrogated.
OREGON	Compulsory.	Required.	Permitted.	Employer is liable to suit with defenses abrogated. Enjoined from hiring workmen. Fine of \$250 plus \$25 per day administrative costs and legal fees, and fines up to \$5,000 based on type of injury.
PENNSYLVANIA	Compulsory.	Required.	Permitted.	Fine of \$500 to \$2,000 per day or not more than 1 year imprisonment, or both. Employer liable to suit with defenses abrogated.
PUERTO RICO	Compulsory.	Required in Territorial Fund.	Not permitted.	Misdemeanor, fine of \$25 to \$1,000, or imprisonment for not more than 6 months or both. Employer liable to suit with defenses abrogated. Penalty 20% of compensation minimum \$10.00.
RHODE ISLAND	Compulsory.	Required.	Permitted.	Fine of not more than \$100; employer liable to suit with defenses abrogated.
SOUTH CAROLINA	Elective.	Required.	Permitted.	Fine of 10 cents per day per employee (maximum \$50, minimum \$1 per day); if default continues for 30 days employer may be enjoined from doing business. Employer liable to suit with defenses abrogated.
SOUTH DAKOTA	Compulsory.	Required.	Permitted.	Employer liable to suit with defenses abrogated. Also, double compensation and medical care as damages.
TENNESSEE	Compulsory.	Required.	Permitted.	Fine of \$10 to \$100 and after conviction, fine of \$1 to \$10 for each day of non-compliance. Employer also liable to suit with defenses abrogated.
TEXAS	Elective.	Required.	Not permitted.	Employer liable to suit with defenses abrogated. Motor bus certificate may be revoked on failure to insure.
UTAH	Compulsory.	Required.	Permitted.	Fine of \$10 to \$100 or imprisonment of 30 days to 6 months or both. Employer also liable to suit with defenses abrogated. Also, costs and attorney's fees in civil suit.
VERMONT	Compulsory.	Required.	Permitted.	For failure to provide security for 30 days after notice by Commissioner, employer liable to fine of not more than \$25 per day after first 30 days. Employer liable to suit with defenses abrogated.
VIRGINIA	Compulsory.	Required.	Permitted.	Fine \$50 per day per employee (maximum \$1,000, minimum \$50 per day). Employer liable to suit with defenses abrogated.
WASHINGTON	Compulsory.	Required in State fund.	Permitted.	Fine of \$25 to \$100 per day 50% of cost of claim. On default of premium, employer is liable to penalty of 25% of premiums in default, and may be required to furnish double bond. In addition, employer may be enjoined from doing business.
WEST VIRGINIA	Compulsory.	Required in State fund.	Permitted.	Employer liable to suit with defenses abrogated.
WISCONSIN	Compulsory.	Required.	Permitted.	Fine of \$10 to \$100 or imprisonment from 30 days to 6 months, or both. Each day is a separate offense. Employer may be restrained from employing any person pending compliance.
WYOMING	Compulsory.	Required in State fund.	Not permitted.	Fine of not more than \$500, plus 10% of premiums due. Employer may also be enjoined from doing business. There is an additional penalty for coal mining operators of double the premium due.

FEDERAL EMPLOYERS' COMPENSATION ACT	Compulsory.	In fund.		
LONGSHOREMEN'S AND HARBOR WORKER'S ACT	Compulsory.	Required.	Permitted.	Fine of not more than \$1000 or 1 year in prison or both for failure to secure payment of compensation.
ALBERTA	Compulsory.	Required in State fund.	Not permitted.	For failure to notify Board within 10 days after starting operations or for failure to submit statement of wages or for non-payment of assessment, employer liable for such percentage penalty as Board may establish. May be enforced from continuing operations.
BRITISH COLUMBIA	Compulsory.	Required in State fund.	Not permitted.	Failure to comply with provisions of Part I of Act—penalty not exceeding \$500. Failure to pay assessments on due date—penalty set by Board. Uninsured employers liable for full amount or capitalized value of any incurred compensation during default.
MANITOBA	Compulsory.	Required in State fund.	Not permitted.	Failure to submit statement of wages upon commencing operations or at other required times—maximum penalty \$300. Failure to pay assessment, employer liable for percentage penalty to be established by Board plus penalty of 2% 1/2 for each half month for period of default. ¹
NEW BRUNSWICK	Compulsory.	Required in State fund.	Not permitted.	Failure to submit statement of wages upon commencing operations or at other required times—maximum penalty \$500. Failure to pay assessment, employer liable for percentage penalty to be established by Board but not to exceed 12% per year.
NEWFOUNDLAND	Compulsory.	Required in State fund.	(*)	Failure to submit statement of wages upon operating—maximum fine of \$500 plus penalties. Percentage penalty on failure to pay.
NOVA SCOTIA	Compulsory.	Required in State fund.	Not permitted.	Failure to pay assessment, employer may be enjoined from operating and liable for percentage penalty to be established by Board. Board has power to establish for all violations of the act.
ONTARIO	Compulsory.	Required in State fund. ²	Not permitted.	Failure to submit statement of wages upon commencing operations and at other required times—penalty \$500 liability for additional percentage of assessment and cost of claim at discretion of Board.
PRINCE EDWARD ISLAND	Compulsory.	Required in State fund. ³	Not permitted.	Failure to report payroll or pay assessment subject to penalty of \$100 for each week of default, plus percentage penalty.
QUEBEC	Compulsory.	Required in State fund. ⁴	Not permitted.	Failure to submit statement of wages upon commencing operations or at other required times—maximum fine \$500, over \$100 per day.
SASKATCHEWAN	Compulsory.	Required in State fund.	Not permitted.	Failure to submit statement of wages upon commencing operations or at other required times—maximum fine \$500. Failure to pay assessment, employer liable for percentage penalty to be established by Board and may be enforced from operating.
CANADIAN MERCHANT SEAMAN'S ACT	Compulsory.	Risks must be covered by insurance or other means.	At discretion of Board.	Failure to insure or cover by other means satisfactory to the Board may cause ship to be detained by Customs.

¹ In addition must pay one-half the costs of compensation of any insured compensation for accidents happening during default not exceeding a maximum of from \$100 to \$500.

² Special provision for payments by non-resident employers into Industrial Accident Fund; applies to extra hazardous occupations.

³ Employers in Schedule II are individually liable and may insure.

⁴ Board may, subject to the approval of Lt. Governor in Council, make or sanction any arrangement for insurance or re-insurance, subject to terms and conditions which the Board may prescribe.

JURISDICTION	EMPLOYMENTS COVERED ¹		EXCEPTIONS ²	SPECIAL COVERAGE PROVISIONS ³
	PRIVATE	PUBLIC		
ALABAMA	Compulsory as to all employments having 4 or more employees.*	Voluntary as to county, city, town, village, or school district; compulsory in certain counties.	Domestic servants and casual employees.	Voluntary for employers of less than 4, including farmers.*
ALASKA	Compulsory as to employers of 1 or more.* Employees include elected or appointed corporate executive officer.	Compulsory as to State Government and its political subdivisions, members of state boards and commissions. Includes volunteer firemen and policemen, and regular firemen if not prohibited by local law.	Part-time baby sitters, cleaning persons, harvest help, etc.	Voluntary as to executive officers of a municipal, charitable, religious, educational or other nonprofit corporation.
ARIZONA	Compulsory as to all employers having 1 or more workmen or operatives regularly employed. Employee may elect.*	Compulsory as to the State and each county, city, town, municipal corporation and school district. Includes volunteer fire departments, regular members of firemen's volunteer reserves.	Domestic servants and casual employees.	Voluntary as to employees of domestic servants. Motion picture business employees and employees under exemption from law provided equal benefits are provided by insurance in domiciliary state.
ARKANSAS	Compulsory as to all employers having 5 or more employees.*	Compulsory as to State of Arkansas and its agencies, departments and institutions, and counties.	Farm labor, domestic servants, casual workmen, public charities, vendors or distributors of newspapers and other publications.	Voluntary as to excluded employments. Compulsory for building repair work, if contractor employs 2 or more employees at any one time. Compulsory for contractor employing one or more where he subcontracted.
CALIFORNIA	Compulsory as to all employments.*	Compulsory as to all employments except clerks and deputies serving without remuneration.	Domestic servants (unless employed by one employee for over 82 hours a week), newspaper vendors, charity workers, casual employees, and volunteer member workers except, if organized by nonprofit corporation. Compulsory if employee is regularly employed for more than 64 hours a month. Employees solely sponsors of bowling teams.* Babysitters.	Voluntary as to excluded employments. Provides, with exceptions that all persons who assist a peace officer in active law enforcement work are deemed employees of the public entity. Voluntary for employees of the public utility industry. Voluntary for park and recreational district workers may be covered by resolution of governing board.*
COLORADO	Effective as to all employments.*	Compulsory as to all public employments. Covers volunteer firemen.	Domestic servants, casual employees, and employees of religious or charitable organizations.	Voluntary as to excluded employments. Certain farm labor covered.
CONNECTICUT	Compulsory as to all employments.	Compulsory as to all State and Public Corporations.	Casual employees, outworkers, worker in private dwelling not regularly employed over 26 hours per week and corporate officers electing not to be included.	Voluntary as to excluded employments.
DELAWARE	Compulsory as to employments having 1 or more employees.*	Compulsory as to State and certain counties, cities, and towns.	Domestic servants, and casual employees earning less than \$300 in 3 months from one household.	
DISTRICT OF COLUMBIA	Compulsory as to all employments.	Compulsory for all employment, except officers or employees of the United States, State, or Foreign Government.	Domestic workers and farm labor are not included.	
FLORIDA	Compulsory as to employments having 1 or more employees.* Effective as to corporate officers, partners and sole proprietors.	Compulsory as to State, political subdivisions, except as to officers selected at polls.	Domestic servants, casual employees, 12 or less casual or 5 or less regular farm labor, professional athletes, independent contractors, and employees of common carriers.	Voluntary as to excluded employments.

GEORGIA	Compulsory as to all employments of 3 or more employees.	Compulsory as to the State, municipal corporations and political subdivisions.	Farm labor, domestic servants, and employees of common carriers.	Voluntary as to all employments and county school districts, full-time county employees, officials—elected or appointed—and planning commissions.
GUAM	Compulsory for all industrial employments. ¹	Both paid and voluntary work done for Government of Guam or any political subdivision thereof except U.S. Government employees covered by P.L. 208 and elected officials.	Employees engaged in interstate or foreign commerce covered only so far as the same is permissible under the laws of the U.S., farm labor and casual employees.	All contracts of living in the territory are presumed to include an agreement to cover injuries received outside the territory by accident arising out of and in the course of employment.
HAWAII	Compulsory as to industrial employment, as defined. ²	Compulsory as to all public officials elective or appointed. Covers public board members, reserve police officers, volunteer firemen and volunteer fish and game wardens.	Employees of religious charitable or nonprofit organizations.	Voluntary as to employments not defined as industrial.
IDAHOO	Compulsory as to all employments. ³	Compulsory as to all public employments.	Agricultural pursuits, domestic servants, casual employments, in-dwelling members of employer's family, outworkers, employment not for money, stevedores, working members of partnership, officers of corporation owning 10% of stock and commission real estate salesman and brokers.	Employees within State who work for employers domiciled in another State are covered. Credit is provided for benefits paid to employees under the law of other States.
ILLINOIS	Compulsory as to enumerated "extra-hazardous" employments, (including occupational diseases). ⁴	Compulsory as to all public employments except officials and members of fire and police departments in cities over 200,000 population. Members of General Assembly and State Guard.	Certain farm labor and persons not in usual course of employer's business.	Voluntary as to excluded employments. ⁵
INDIANA	Compulsory as to all employments. ⁶	Compulsory as to the State, all municipal corporations and all political subdivisions of the State, including State legislators, elected and appointed officials.	Farm labor, domestic servants, casual workers, and railroad employees engaged in train service.	Compulsory as to coal mining. Voluntary as to excluded employments.
IOWA	Compulsory as to all but excepted employments. ⁷ Including corporate executive officers, including corporate directors, elective as to partners, individuals or self-employed.	Compulsory as to all public employments, except firemen and policemen entitled to pension fund. Covers highway safety patrol officers, conservation officers and volunteer firemen. ⁸	Domestic and casual workers earning under \$2000 per quarter, farm labor, if employer payroll under \$2,500 per year, or any regular employees for less than 40 hours weekly during 13 weeks.	Employees within the State who work for employers domiciled in another State are covered. Credit is provided for benefits paid to employees under the law of other States.
KANSAS	Compulsory as to all employments, includes executive officers of corporations, elective as to partners, individuals or self-employed.	Compulsory as to all public employments, includes emergency instructions.	Farm labor or any employer whose gross annual payroll is not more than \$10,000.	Voluntary as to excluded employments.

NOTES: State Courts vary in decisions whether minimum number of persons must be in State.

¹See "Exclusions."

²Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but in case he rejects it he loses the customary common law defenses (assumed risk of the employee, negligence of fellow servants and contributory negligence). In most States workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer.

³In other States, such action of the employer must be concurred in by the employee.

⁴Applying to private employment only. The exceptions for public employments are given under "Employments Covered—Public."

⁵The law states that it is elective as to private employments of a nonhazardous nature. However as there are no provisions in the law abrogating the employer's defenses in case he does not accept the act, it is considered, in this table, to be a voluntary one. State Supreme Court rules all public employees subject to the act without right of rejection.

⁶Employment in trade, occupation, or profession, carried on by employer for pecuniary gain.

⁷Special act covers employees of U.S. Alabama Battleship Comm. and authorizes access medical care benefits not to exceed \$10,000 per employee; also, for employees of Dept. of Agriculture and Industries.

⁸Voluntary for sponsoring agencies of Economic Opportunity Programs.

⁹Excludes amateur athletic participants who are not employees.

¹⁰Covers agricultural workers at State universities.

CHART II □ COVERAGE OF LAWS □ January 1, 1975 (continued)

JURISDICTION	EMPLOYMENTS COVERED ¹		EXCEPTIONS ²	SPECIAL COVERAGE PROVISIONS ³
	PRIVATE	PUBLIC		
KENTUCKY	Compulsory as to all employments.	Compulsory as to all departments, administrative bodies and agencies of the state. Includes members of National Guard on active State duty.	One domestic servant or casual employee, farm labor, steam railroads and common carrier employees.	Voluntary as to excluded employment.
LOUISIANA	Effective as to hazardous employments and employments involving the use of explosives, other than charitable.	Compulsory as to all public employments except officers.	Crews of crop harvesting aircraft while acting as contractors of employees of persons principally engaged in agriculture.	Voluntary as to nonhazardous employments. Involuntary as to employment from deriving liability on grounds employments covered are nonhazardous.
MAINE	Compulsory as to all employments including corporate executive officers.	Compulsory as to the State, counties, cities, quasi-municipal corporations, and includes civil defense workers.	Casual or seasonal farm labor, domestic servants, maritime employees in interstate or foreign commerce.	Voluntary as to excluded employments.
MARYLAND	Compulsory as to all employments. [*] Includes officers of corporations. Covers farm and dairy farmers of 3 or more employees.	Compulsory as to State, county, city or any agency thereof; volunteer firemen of rescue squads, paid firemen in Prince George's County and prisoners working for county roads boards. Effective for volunteer fire companies in Harford County and Anne Arundel County.	Domestic servants unless 2 or more employed 40 hours a week and certain maintenance workers, not employed for 30 consecutive days, around a private home, casual, seasonal or migratory farm labor who do not operate machinery.	Voluntary as to excluded employments. Partners and sole owners may elect coverage and furnish notice to carrier and commissioner. All forest wardens, firemen, and fire fighters of the Dept. of Forests and Parks.
MASSACHUSETTS	Compulsory as to all employments.	Compulsory as to state, elective as to counties, cities and a variety having power of taxation. Municipalities and independent police and firemen. Cities and towns may cover certain elected or appointed officials.	Seasonal, casual or part-time domestics, maids and waiters; employees or carriers subject to Interstate Commerce Act.	Voluntary as to domestic servants hired casually or on a seasonal basis.
MICHIGAN	Compulsory as to all employers having 3 or more employees, or less than 3 if 1 is employed for 35 hours per week for 13 consecutive weeks by same employer. ^{**}	Compulsory as to all public employments. ³		Voluntary as to employer of 2 or less, farm labor, and domestic service. Purchase of workmen's compensation policy.
MINNESOTA	Compulsory to all employers. Includes executive officers in some instances. [*] Effective as to business owners and partners.	Compulsory as to all public employments. Includes voluntary uncompensated workers, except inmates in state institutions of public health and correction. Includes non-unionized civil defense workers on active duty during peace time, but excluding elected or appointed officials of the state or its subdivisions.	Domestic servants, team railroads and casual employees. Paid employees of a temporary employment contract. Female farm labor with farm labor payroll less than \$2,000 per annum.	Commercial drabbing and baling specifically excluded. Voluntary as to farm labor and domestic service or to employees of non-profit organizations. Work related incidents considered compensable.
MISSISSIPPI	Compulsory as to all employers having 5 or more workmen or operatives, voluntary employees. [*]	Voluntary as to public employments. [*]	Domestic servants, farmers, farm labor, newspaper distributors and other independent contractors.	Voluntary as to exempted employees. Executive officers of private or non-profit corporation may be covered under Act.

MISSOURI	Compulsory as to all employments having more than 5 employees. Employers of 5 or less are exempt to operate under the Act.	Compulsory as to all public employments, also to state militia. Compulsory for all state employees, elected or appointed state officials and members of the legislature, contractors of a public corporation, and sheriffs and deputy sheriffs.	Farm labor and domestic servants of employer having annual payroll of \$2,500 or less.	Workers on state welfare projects under Federal Economic Opportunity Act shall be insured.
MONTANA	Compulsory as to all employments.	Compulsory as to all public employments including public contractors.	Domestic servants, agricultural employments and railroad employments.	Voluntary as to exempt employments.
NEBRASKA	Compulsory as to all employments. Includes executive officers.	Compulsory as to all employments including officials elected or appointed for fixed terms and civil defense agency.	Farm labor, domestic servants and casual employees.	Voluntary as to farm labor and domestic service.
NEVADA	Compulsory as to all employments.	Compulsory as to all employments including public contractors. Also includes unpaid members of State departments, boards, commissions, agencies or bureaus appointed by a statutory authority, members of local boards and boards.	Farm labor, domestic servants, casual employees and stockholders of certain farming corporations who are compensated for services. Actors, except employees of motion picture producers.	Elective as to farm labor and domestic service.
NEW HAMPSHIRE	Compulsory as to all employments. Elective as to all employments of 3 or more employees.	Compulsory as to all public employments. Civil defense workers trained as state employees. Overseas volunteer or auxiliary members of fire, police departments, or ambulance corps and forest fire fighters.	Elective as to farm labor of 3 or more domestic servants, and casual employments; or owner or occupant of dwelling of not more than 3 apartments who hires repair or maintenance men thereon, or partners.	
NEW JERSEY	Elective as to all employments.	Compulsory as to all public employments.	Casual workers, maritime workers, and railroad workers engaged in interstate commerce.	Employers of domestic servants are not required to carry insurance but are liable for compensation under act.
NEW MEXICO	Compulsory as to employment having 4 or more employees.	Compulsory as to the State and each county, city, town, school district, drainage, irrigation or conservancy district, public institution and administrative board employing more than 10 persons in any hazardous occupation, and members of National Guard.	Farm or ranch labor, domestic servants, and casual employees.	Numerical exception does not apply to structural work 10 feet above ground. Voluntary as to farm labor, domestic service and where less than 4 are employed.

NOTE: State Courts vary in decisions whether minimum number of persons must be in State.

*See "Exceptions."

Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective law gives the employer the option of either accepting or rejecting the act. Such laws reflect the fact that the act is not compulsory in most States. In States where the act is compulsory, the employer is not required to accept it. In most States, the act is elective. In other States, such action of the employer must be covered in by the employer.

Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

Volunteer firemen deemed to be receiving wages that would secure maximum benefit.

*Non-profit charitable, fraternal, cultural or religious corporations or associations excluded.

*Husbands and wives regularly employed by their spouses on full time basis, at specified rate of pay and specified hours of employment are eligible for compensation benefits unless excluded by employer.

*Members of non-profit organizations and clubs while rendering service ambulances service deemed employees earning \$500 a month; volunteer firemen deemed to earn \$500 per month.

*Specifically excluded from coverage are handicapped in sheltered workshop programs under department of public welfare.

CHART III ☐ COVERAGE OF LAWS ☐ January 1, 1975 (continued)

JURISDICTION	EMPLOYMENTS COVERED ¹		EXCEPTIONS ²	SPECIAL COVERAGE PROVISIONS ³
	PRIVATE	PUBLIC		
NEW YORK	Compulsory as to enumerated employments and employees having 1 or more employees. ⁴ Excludes employers under 18 and provides benefits. ⁵	Compulsory as to any employment by the State and any employment by a subdivision of the State. Excludes certain non-hazardous employments. Voluntary as to non-hazardous employments, volunteer firemen, ambulance services, and volunteer social workers.	Effective as to farm labor if payroll during prior year was less than \$1200; volunteer workers and domestic workers not employed by same employer at least 40 hours per week.	Executive officers of corporation other than religious, charitable, secular or educational are covered. Public school teachers covered in districts not in cities of more than one million population. Covers school aides.
NORTH CAROLINA	Effective as to employments in which 5 or more employees are regularly employed. ⁶	Compulsory as to public employments and public and quasi-public corporations except elective officials and certain firemen. Elective officials, municipal auxiliary police and Union County deputy sheriffs.	Farm labor; domestic servants, seamstresses and logging operators having less than 10 employees; and railroad employees and if operate less than 60 days in consecutive 6 month period. Railroad employees.	Voluntary as to casual employees, farm labor, domestic servants, and employees having less than 5 employees, but 1 or more employees engaged in ionizing radiation work.
NORTH DAKOTA	Compulsory as to all hazardous employment. ⁷	Compulsory as to all public employments.	Farm labor, domestic servants, casual workers, illegal employment, and contract labor not performing duties performed by employee.	Voluntary as to nonhazardous and excluded employments.
OHIO	Compulsory as to all employments regularly having 1 or more employees.	Compulsory as to State, county, city, township, incorporated village and school district. ⁸		Includes casual and domestic workers with wages of \$50 or more from one employer in any 3 month period.
OKLAHOMA	Compulsory as to hazardous employments having 2 or more workmen.	Compulsory as to the State, county, city, or municipality when employing workmen in hazardous employments except where convenient schemes are in force.	Agriculture, horticulture, dairy and stock raising, and railroad engaged in interstate commerce.	If insured, presumed to be hazardous.
OREGON	Compulsory as to all employers of 1 or more.	Compulsory as to State, departments, city or town (except those having over 200,000 population) and other political subdivisions.	Domestic, casual, interstate transportation, sole proprietors, corporate officers & certain charitable or relief work.	Voluntary as to excepted employments. Covers volunteer firemen in State Society for Blind and Clerics in the V.C. R.R. Club. Does not require operating equipment for fire may elect coverage.
PENNSYLVANIA	Compulsory as to all employments. ⁹	Compulsory as to all public employments. Includes volunteer firemen & members of ambulance corps. ¹⁰	Domestic servants, industrial homework and casual employees.	Voluntary as to casual ¹¹ and domestic service. ¹²
PUERTO RICO	Compulsory as to all employments.	Compulsory as to all public employments with or without salary.	Casual and domestic workers.	Sole proprietors and their families when supervising or engaging in manual labor in their business or farm.
RHODE ISLAND	Compulsory as to all employments having 5 or more employees. ¹³ Excludes employers in hazardous occupations.	Compulsory as to the State, elective as to cities or towns.	Agriculture, domestic service.	Voluntary as to agriculture, domestic service and employees of less than 4 employees, except those in hazardous occupations.
SOUTH CAROLINA	Effective as to all employments having 4 or more regular employees. ¹⁴	Compulsory as to all public employments except elective and appointive officials. Covers State and National Guards.	Casual employees, persons engaged in selling agricultural products, farm labor, railroads, express companies, State and county fair associations.	Voluntary as to employed employees. Act shall not apply to employer whose annual payroll is less than \$3,000 regardless of number of employees.

SOUTH DAKOTA	Compulsory as to all employments. ^a	Compulsory as to all public employments and volunteer workmen thereof except elected or appointed officials. Firemen covered. Subdivisions of state may elect to cover elected and appointed officials. ¹	Casual employees. Farm labor and domestic servants if employed more than 20 hours in any week or more than 8 weeks in any 13 week period.	Voluntary as to farm labor and domestic service.
TENNESSEE	Compulsory as to all employments having 5 or more employees.	Voluntary as to State and political subdivisions.	Farm labor, domestic servants, casual employees and employees of interstate common carrier. ²	Voluntary as to employees of less than 5.
TEXAS	Effective as to all employments having 1 or more employees. Compulsory as to motor vehicle companies. ³	Compulsory as to employees of State Highway Department. Counties and cities may provide compensation for employees by contract act. ⁴	Farm and ranch labor, domestic servants, railways, used as common carriers, and employees not in usual course of employer's business.	Cities, towns and villages may provide compensation for their employees. Effective as to excluded employees.
UTAH	Compulsory as to all employments having 1 or more employees.	Compulsory as to all public employments.	Farm labor, domestic servants and casual employees.	Voluntary as to farm labor, and domestic service. Partners and sole proprietors devoting full time to their business may elect coverage.
VERMONT	Compulsory as to all employments having gain having 1 or more employees.	Compulsory as to State Department of Highways. Elected as to towns, school districts, fire districts, and all other elected officials. National Guard as to State employees, and forest fire fighters. ⁵	Casual employees. State Treasurer, State Auditor and Commissioner may award compensation in certain cases of state employees. Amateur sports excluded.	Covers farmers with annual payroll over \$7,000.
VIRGINIA	Compulsory as to all employments having 3 or more employees. Employees of the State are exempt from the act. Employees of the State are exempt from the act. Employees of the State are exempt from the act.	Compulsory as to all public employments except those of the State and employees of the State. Employees of the State are exempt from the act. Employees of the State are exempt from the act.	Casual employees, horticultural and farm laborers, domestic servants, employees of steam railroads and employees not in usual course of employees trade, business or occupation.	Forest wardens, Civil Defense Corps and National Guard covered for laborers. Voluntary as to employees of less than 3, farm labor and domestic.
WASHINGTON	Compulsory as to all employments. ⁶	Compulsory as to the State, county and municipality or other public entity when engaged in extra hazardous work. When other provision is made for public employees.	Domestic, casual, railroad, or unpaid workers in eleemosynary institutions, and child under 18 on a family farm.	Covers apprentices registered with Apprenticeship Council.
WEST VIRGINIA	Compulsory as to all employments. ⁷	Compulsory as to the State and all governmental agencies or boards, except elective or appointive officials.	Farm labor of 5 or less and domestic servants.	Voluntary coverage for not more than 3 casual employees for 10 days in any calendar quarter.

NOTE: State Courts vary in decisions whether minimum number of persons must be in State.

^aSee "Exemptions."

¹Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective law is one in which the employer has the option of either accepting or rejecting the act, but in either case it is the duty of the employer to pay the compensation specified. In most States workers in risk of the employer, negligence of fellow workers and compulsory registration. In most States workers in risk of the employer, negligence of fellow workers and compulsory registration. In most States workers in risk of the employer, negligence of fellow workers and compulsory registration.

²In other States, such action of the employer must be determined in by the employer.

³Applying to private employments only. The act is not for public employments and given under "Employments Covered-Public."

⁴Provides for amount of compensation if employed knowingly in violation of education law.

⁵Extended to road commissioner and selectmen engaged in highway construction.

⁶Executive and officers of corporations included if workmen's compensation insurance purchased but may be excluded. Compulsory for all employees for railroad.

⁷Excludes firemen and policemen in cities with pension funds. If pension is less, difference will be paid.

⁸State of Texas now provides for self insurance coverage for the University of Texas, Texas A and M College System and the State Highway Department.

⁹Executive officers of corporations may be covered by insurance policy but not covered as employees to make employer subject to act.

¹⁰Volunteer firemen and volunteer workmen of political subdivisions deemed to be receiving wages entitling them to maximum benefits. Students in vocational work program covered as employees of school district.

¹¹Compulsory for farm labor if one employee earns \$150 or more or works 20 or more days in one year.

CHART II □ COVERAGE OF LAWS □ January 1, 1975 (continued)

JURISDICTION	EMPLOYMENTS COVERED ¹		EXCEPTIONS ²	SPECIAL COVERAGE PROVISIONS ³
	PRIVATE	PUBLIC		
WISCONSIN	Compulsory as to all employments (except farm labor) if paid wages of \$500 or more in any calendar quarter for services in the state. Compulsory as to farmers with 5 or more employees.	Compulsory as to all employees and members of volunteer fire departments or legally organized rescue squads.	Domestic servants and employees not in usual course of employer's business.	Voluntary as to unincorporated employments. May cover volunteer workers.
WYOMING	Compulsory as to enumerated "extra-hazardous" occupations conducted for gain. ⁴	Compulsory as to State, county and municipal corporations when engaged in "extra-hazardous" work except sheriff, constables or their deputies, volunteer firemen and enumerated law enforcement officers.	Domestic servants.	Effective as to ranch, farm, agricultural, horticultural and stock raising employments employing one or more.
FEDERAL EMPLOYEE COMPENSATION ACT	All civil employees, including employees of wholly owned instrumentalities and persons performing activities of civilian employees but not paid the rate.			
LONGSHOREMEN AND HARBOR WORKER'S ACT	All U.S. real-time employment, including longshoring, harborworking, ship building or ship repair.	Officers and employees of the U.S. or any State or foreign governments are not covered.	Master or crew of any vessel and persons unloading or reloading vessels of less than 18 tons.	(*)
ALBERTA	Compulsory as to all employments listed in Schedule 1.	Compulsory as to provincial employees as listed in Schedule 11.	Farm labor, domestic servants, and workers. ² and casual employees.	Voluntary as to farmers and industries not under Schedules I or II.
BRITISH COLUMBIA	Compulsory as to all employments listed in Part I.	Compulsory as to all provincial and municipal employees, also volunteer ambulance drivers and standards.	Out workers, ² certain members of employer's family, employees of American contractors engaged in U.S. Government projects.	Voluntary as to all unincorporated employments and to self-employed individuals. Board may also cover unpaid volunteer workers for public welfare and persons undergoing vocational rehabilitation.
MANITOBA	Compulsory as to all employments listed in Part I. ⁴	Compulsory as to all provincial and municipal employments.	Farm labor, domestic servants, and workers, officers of corporations, resident members of employer's family.	Voluntary as to farm labor, corporate officers, resident members of employer's family, domestic servants and unincorporated employments.

NEWFOUNDLAND	Compulsory as to employments listed in Part I. ¹	Effective as to public employments, except firemen and policemen who are excluded.	Casual employees, out workers, ² and executive officers and directors of corporations.	Voluntary as to unenumerated employments.
NOVA SCOTIA	Compulsory as to all employments listed in Part I.	Effective as to public employments except firemen and policemen who are excluded.	Farm labor, domestic out workers, ³ and casual employees.	Voluntary as to farm and domestic labor.
ONTARIO	Compulsory as to all employments listed in Schedules I and II.	Compulsory to all provincial and municipal employments, also volunteer firemen.	Domestic servants, out workers, ⁴ executive officer of corporation.	Voluntary as to unenumerated employments.
PRINCE EDWARD ISLAND	Compulsory as to all employments listed, Part I.	Compulsory except for city, town, or municipal police and firemen. Police and firemen may be covered by application.	Casual employees, out workers, ⁵ police, firemen, farm laborers, domestic servants, members of family under sixteen.	Voluntary as to unenumerated employments.
QUEBEC	Compulsory as to all employments listed in Schedules I and II.	Compulsory as to all provincial and municipal employments in industries covered in Schedules I and II.	Farm labor, domestic servants, out workers, ⁶ and casual employees.	Voluntary as to unenumerated employments.
SASKATCHEWAN	Compulsory as to all employments listed in Part I.	Compulsory as to all provincial and municipal employments, includes volunteer firemen.	Farm labor, domestic servants, out workers, ⁷ and casual employees.	Voluntary as to farm and domestic labor and unenumerated employments.
CANADIAN GOVERNMENT EMPLOYEES' ACT	Employees of Government departments, Crown corporations, boards, commissions, etc., in Canada and abroad.			Claims are determined by provincial Boards. Benefits same as private employees in same province.
CANADIAN MERCHANT SEAMEN'S ACT	Employees of Canadian registered ships as defined.		Pilots, apprenticed pilots and fishermen.	No compensation payable if entitled under Government Employees Compensation Act or any provincial workers' compensation act.

¹ Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation. An elective act is one in which the employer has the option of either accepting or rejecting the act but in either case he takes the customary common law defenses (assumed risk of the employee, negligence of fellow servants and contributory negligence). In most jurisdictions workers in unenumerated employments may be brought under coverage of the act through voluntary action of the employer. In other jurisdictions, such as that of the employer must be covered by the employees.

² Applying to private employments only. The act does not cover public employments and is given under "Employments Covered—Public."

³ Outworker is one to whom articles are given for cleaning, repair, etc. in his home.

⁴ By separate enactment, Act is made applicable to employees at Military, Air and Naval bases and public works outside the United States; employees of welfare and morale services for Armed Forces outside the United States; and employees of non-appropriated funds (ship's service, P.K., etc.) within and outside the United States.

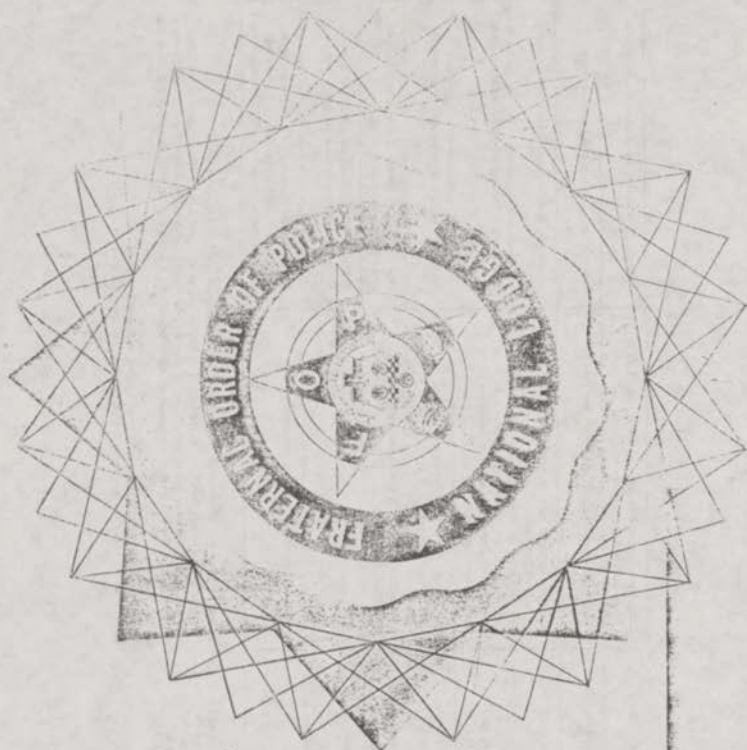
⁵ Applies to persons engaged in industry of fishing, whaling or sailing.

⁶ Lt. Gov.-in-Council may by regulation include any industry within Part I.

24TH EDITION

FRATERNAL ORDER OF POLICE

NATIONAL LODGE

THE ONLY NATIONAL
POLICE ORGANIZATIONA SURVEY OF **1975**

SALARIES AND WORKING CONDITIONS OF THE

POLICE DEPARTMENTS IN THE UNITED STATES

Published March 15, 1975



WHAT...

is the Fraternal Order of Police?

The Fraternal Order of Police is an organization of Police Officers, incorporated in the State of Pennsylvania under the Non-Profit Corporation Law. Its name and insignia is registered in the United States Patent Office in Washington, D.C. Its membership is restricted to full-time Law Enforcement Officers of all ranks who are employed by Federal, State or local government.

The Fraternal Order of Police is composed of:

(1) **National Lodge**—made up of delegates from all subordinate Lodges assembled in Biennial Conference; managed by a Board of Directors between Conferences.

(2) **State Lodges**—formed when there are three or more Lodges in a state; composed of delegates from all subordinate Lodges assembled in Monthly or Annual Conferences; managed by a Board of Directors between Conferences.

(3) **Subordinate Lodges**—formed at the request of ten or more members of a Law Enforcement Agency; managed by a Board of Directors elected from among the members annually, or biennially. At the present time, the Order is composed of approximately 110,000 members in 600 subordinate Lodges in 39 States. There are 25 State Lodges.

Our subordinate Lodges are operated on dues received from their members at a rate prescribed by their own By-Laws. State Lodges and the National Lodge are operated on Per Capita Tax paid by the subordinate Lodges on the basis of their membership.

All actions of the Board of Directors of the National Lodge are reported to the subordinate Lodges in the form of minutes, which include financial reports of money received and money spent. The financial affairs of the National Lodge are audited by a Certified Public Accountant.

WHAT...



does the National Lodge do?

(1) Provides the means whereby the Order is introduced to Police Officers.

(2) Provides an Income Tax Exemption to each subordinate Lodge so that all its revenue may be used for Lodge programs.

(3) Provides Human Rights and Law Enforcement Study. A policeman must make split-second decisions. But it is often hard to resolve questions of individual rights vs. rights of the public. The F.O.P. is studying the problem in co-operation and in conjunction with the U.S. Attorney General's office. Purpose, to aid in formulating a uniform national policy of procedure.

(4) Through its National Legislative Committee promotes, in the Nation's Capitol, legislation beneficial to all Police Officers and is the watchdog for detrimental legislation. It has been successful, so far, in keeping out of Social Security those Policemen with adequate retirement systems who do not want Social Security. The Committee was mainly responsible for the National Legislation that allows a Police pensioner, under the age of 65, a retirement credit of \$1,524, plus \$762 for his wife if filing a joint return. Also, sponsored Police Survivorship Bill that provides pension benefits for police officers killed or injured while apprehending persons suspected of committing or attempting to commit a crime against the United States.

Obtained the approval of the U.S. Postmaster General for the issuance of Law & Order Commemorative Stamp honoring policemen.

(5) Publishes an Annual Survey of the Salaries and Working Conditions of Police Departments. It has become the principal reference book on Police salaries and has enabled our Lodges to secure higher salaries and improve their working conditions.

(6) Issues a quarterly publication which is mailed direct to the homes of each of its members throughout the country. This provides a medium for the exchange of ideas and acquaints the membership with the progress of their fellow members.

(7) Compiles and publishes data on subjects that affect the welfare of Police Officers, such as integration of Police and Fire Departments, Social Security for Policemen, Citizen Police Review Boards, etc.

(8) Provides Group Life Insurance and a Family Supplemental Hospitalization Plan at reduced rates for members.

Population over 1,000,000

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Chicago, Ill.	\$6,000	New York, N.Y.	\$15,000
Detroit, Mich.	0	Philadelphia, Pa.	7,000
Los Angeles, Calif.	0		

Population over 500,000 to 1,000,000

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Atlanta, Ga.		Memphis, Tenn.	\$10,000
Boston, Mass.		Milwaukee, Wis.	11,000
Cleveland, Ohio	\$0	Phoenix, Ariz.	4,000
Columbus, Ohio	\$10,000	St. Louis, Mo.	10,000
Dallas, Tex.	5,000	San Antonio, Tex.	
Denver, Col.	0	San Diego, Calif.	1,000
Honolulu, Hawaii		San Francisco, Calif.	
Houston, Tex.	7,000	Seattle, Wash.	
Jacksonville, Fla.	2,000	Washington, D.C.	0
Kansas City, Mo.	5,000		

Population over 250,000 to 500,000

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Akron, Ohio	\$2,000	Newark, N.J.	\$5,000
Albuquerque, N.M.		Norfolk, Va.	0
Austin, Tex.	5,000	Oklahoma City, Okla.	2,500
Cincinnati, Ohio	1,000	Omaha, Nebr.	0
El Paso, Tex.	6,000	Portland, Oreg.	3,000
Fort Worth, Tex.	10,000	Rochester, N.Y.	2,500
Jersey City, N.J.	5,000	San Jose, Calif.	
Las Vegas, Nev.	6,000	Tampa, Fla.	12,500
Long Beach, Calif.	0	Tucson, Ariz.	
Louisville, Ky.	2,000	Tulsa, Okla.	
Miami, Fla.	20,000	Warren, Mich.	12,500
Minneapolis, Minn.	5,000	Wichita, Kans.	3,000
Nashville, Tenn.			

Population 100,000 to 250,000

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Albany, N.Y.	0	Kansas City, Kans.	0
Alexandria, Va.	\$11,000	Lansing, Mich.	\$50,000
Allentown, Pa.	6,000	Lexington-Fayette Co., Ky.	2,000
Anaheim, Calif.	15,000	Lincoln, Neb.	5,000
Baton Rouge, La.	8,000	Little Rock, Ark.	0
Berkeley, Calif.	2,500	Livonia, Mich.	15,000
Canton, Ohio	5,000	Macon, Ga.	
Cedar Rapids, Ia.	5,000	Mobile, Ala.	5,000
Charlotte, N.C.		Montgomery, Ala.	2,500
Chattanooga, Tenn.	4,000	New Bedford, Mass.	1,000
Chesapeake, Va.	0	New Haven, Conn.	0
Columbus, Ga.	10,000	Newport News, Va.	
Corpus Christi, Tex.	2,000	Parma, Ohio	0
Dayton, Ohio	6,000	Paterson, N.J.	
Des Moines, Iowa	2,000	Peoria, Ill.	5,000
Duluth, Minn.	5,000	Portsmouth, Va.	
Durham, N.C.		Providence, R.I.	5,000
Flint, Mich.	7,500	Raleigh, N.C.	5,000
Fort Wayne, Ind.	10,000	Richmond, Va.	
Fremont, Calif.	5,000	Riverside, Calif.	0
Fresno, Calif.	1,500	Rockford, Ill.	2,000
Gary, Ind.	16,000	San Bernardino, Calif.	1,000
Grand Rapids, Mich.	15,000	Savannah, Ga.	
Greensboro, N.C.	12,500	Scottsdale, Ariz.	5,000
Hammond, Ind.	10,000	Scranton, Pa.	10,000
Hialeah, Fla.		South Bend, Ind.	2,000
Huntsville, Ala.	15,000	Springfield, Mo.	0

Population 100,000 to 250,000—Continued

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Stockton, Calif.	-----	Winston-Salem, N.C.	\$2, 000
Syracuse, N. Y.	\$10, 500	Worcester, Mass.	2, 000
Topeka, Kans.	-----	Yonkers, N. Y.	5, 000
Torrance, Calif.	-----	Youngstown, Ohio	5, 000
Waco, Tex.	3, 500		

Population 50,000 to 100,000

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Abington, Pa.	\$15, 000	Greenwich, Conn.	\$5, 000
Albilene, Tex.	5, 000	Hamilton, Ohio	7, 000
Alameda, Calif.	15, 000	Harrisburg, Pa.	10, 000
Altoona, Pa.	15, 000	Hayward, Calif.	0
Arlington, Tex.	15, 000	Huntington, W. Va.	5, 000
Arlington Heights, Ill.	-----	Inglewood, Calif.	5, 000
Appleton, Wisc.	6, 500	Irvington, N. J.	10, 000
Arvada, Colo.	-----	Kenosha, Wis.	-----
Asheville, N. C.	5, 000	Kettering, Ohio	4, 000
Atlantic City, N. J.	-----	La Crosse, Wis.	-----
Aurora, Colo.	6, 000	Lafayette, La.	10, 000
Aurora, Ill.	5, 000	Lake Charles, La.	0
Bakersfield, Calif.	10, 000	Lancaster, Pa.	13, 000
Bayonne, N. J.	10, 000	Laredo, Tex.	10, 000
Berwyn, Ill.	10, 000	Lawrence, Mass.	2, 000
Billings, Mont.	5, 000	Lawton, Okla.	5, 000
Binghamton, N. Y.	0	Lima, Ohio	2, 000
Boulder, Colo.	12, 000	Lorain, Ohio	10, 000
Bristol, Conn.	4, 000	Lowell, Mass.	1, 000
Buena Park, Calif.	7, 500	Lynn, Mass.	2, 000
Champaign, Ill.	-----	Manchester, N. H.	0
Charleston, S. C.	0	Mansfield, Ohio	5, 000
Charleston, W. Va.	10, 000	Meridian, Miss.	0
Chester, Pa.	10, 000	Mesa, Ariz.	-----
Chicopee, Mass.	-----	Mesquite, Tex.	8, 000
Chula Vista, Calif.	3, 000	Miami Beach, Fla.	20, 000
Clearwater, Fla.	20, 000	Midland, Tex.	6, 000
Clifton, N. J.	10, 000	Milford, Conn.	-----
Concord, Calif.	-----	Modesto, Calif.	2, 000
Costa Mesa, Calif.	20, 000	Monroe, La.	3, 000
Council Bluffs, Iowa	5, 000	Montebello, Calif.	10, 000
Cranston, R. I.	4, 000	Monterey Park, Calif.	3, 000
Downey, Calif.	4, 000	Mountain View, Calif.	-----
Dubuque, Iowa	5, 437	Mount Vernon, N. Y.	-----
East Hartford, Conn.	10, 000	Muncie, Ind.	0
East Lansing, Mich.	-----	Newport Beach, Calif.	7, 500
East Orange, N. J.	0	Norman, Okla.	10, 000
East Point, Ga.	24, 000	N. Little Rock, Ark.	0
Edison Township, N. J.	-----	Norwalk, Conn.	0
Elgin, Ill.	1, 000	Oak Lawn, Ill.	10, 000
El Monte, Calif.	2, 000	Oak Park, Ill.	3, 000
Euclid, Ohio	3, 000	Odessa, Tex.	4, 000
Evanston, Ill.	-----	Ontario, Calif.	5, 000
Everett, Wash.	0	Orange, Calif.	3, 000
Fairfield, Calif.	0	Oshkosh, Wis.	-----
Fairfield, Conn.	10, 000	Owensboro, Ky.	-----
Fort Collins, Colo.	-----	Oxnard, Calif.	5, 000
Framingham, Mass.	2, 000	Palo Alto, Calif.	-----
Gadsden, Ala.	6, 000	Pasadena, Tex.	7, 000
Gainesville, Fla.	20, 000	Passaic, N. J.	1, 000
Galveston, Tex.	19, 000	Pawtucket, R. I.	0
Glendale, Ariz.	-----	Penn Hills Township, Pa.	-----
Grand Prairie, Tex.	3, 000	Pensacola, Fla.	4, 000
Greece, N. Y.	10, 000	Pomona, Calif.	5, 000
Greeley, Colo.	5, 000	Pontiac, Mich.	30, 000
Greenville, S. C.	11, 000	Port Arthur, Tex.	5, 000

Population 50,000 to 100,000—Continued

<i>Amount (\$) life insurance contributed by employer</i>		<i>Amount (\$) life insurance contributed by employer</i>	
Provo, Utah	\$2, 000	Skokie, Ill.	\$10, 000
Pueblo, Colo.	0	South Gate, Calif.	3, 000
Racine, Wis.	3, 000	Spartansburg, S.C.	2, 500
Reading, Pa.	10, 000	Tempe, Ariz.	5, 000
Reno, Nev.	0	Union City, N.J.	2, 000
Roanoke, Va.	5, 300	Vallejo, Calif.	0
Rochester, Minn.	10, 000	Ventura, Calif.	7, 000
Roseville, Mich.	20, 000	Vineland, N.J.	—
Royal Oak, Mich.	20, 000	Waltham, Mass.	2, 000
St. Clair Shores, Mich.	—	Warren, Ohio	10, 000
St. Joseph, Mo.	2, 000	Warwick, R.I.	0
Salem, Oreg.	10, 000	West Allis, Wis.	—
Salinas, Calif.	—	West Covina, Calif.	5, 000
San Angelo, Tex.	1, 000	West Palm Beach, Fla.	7, 500
San Leandro, Calif.	—	Weymouth, Mass.	2, 000
San Mateo, Calif.	2, 000	Whittier, Calif.	0
Santa Barbara, Calif.	10, 000	Wichita Falls, Tex.	10, 000
Santa Clara, Calif.	—	Wilkes-Barre, Pa.	10, 000
Santa Monica, Calif.	14, 000	Wilmington, Del.	30, 000
Schenectady, N.Y.	0	Wyoming, Mich.	12, 000
Sioux City, Iowa	5, 000	York, Pa.	10, 000
Sioux Falls, S.D.	11, 000		

Population 25,000 to 50,000

<i>Amount (\$) life insurance contributed by employer</i>		<i>Amount (\$) life insurance contributed by employer</i>	
Aberdeen, S. Dak.	\$3, 000	Casper, Wyo.	\$10, 000
Allen Park, Mich.	15, 000	Cedar Falls, Iowa	2, 500
Alton, Ill.	2, 000	Chelsea, Mass.	1, 000
Ames, Iowa	10, 000	Chillicothe, Ohio	2, 000
Anchorage, Alaska	—	Clarksville, Tenn.	7, 500
Anniston, Ala.	—	Clovis, N. Mex.	10, 000
Arcadia, Calif.	1, 000	Columbus, Ind.	8, 000
Ashland, Ky.	1, 000	Columbus, Miss.	3, 000
Ashtabula, Ohio	0	Columbus City, Ind.	7, 000
Attleboro, Mass.	2, 000	Concord, N.H.	0
Auburn, Ala.	1, 500	Coon Rapids, Minn.	5, 000
Auburn, Maine	0	Coral Gables, Fla.	3, 000
Auburn, N.Y.	0	Corona, Calif.	—
Baldwin Park, Calif.	3, 000	Covina, Calif.	10, 000
Bangor, Maine	—	Culver City, Calif.	10, 000
Barberton, Ohio	12, 000	Cumberland, Md.	2, 000
Bartlesville, Okla.	4, 000	Cumberland, R.I.	10, 000
Belleville, Ill.	7, 500	Danvers, Mass.	1, 000
Belleville, N.J.	0	Danville, Ill.	2, 000
Bellingham, Wash.	0	Danville, Va.	5, 000
Belmont, Mass.	1, 000	Decatur, Ala.	1, 000
Bergenfield, N.J.	0	Delray Beach, Fla.	10, 000
Bessamer, Ala.	3, 000	Denton, Tex.	10, 000
Bethel Park, Pa.	22, 000	Dolton, Ill.	10, 000
Beverly, Mass.	2, 000	Dothan, Ala.	5, 000
Big Spring, Tex.	2, 000	East Chicago, Ind.	15, 000
Birmingham, Mich.	12, 000	East Cleveland, Ohio	0
Bloomington, Ind.	3, 000	East Detroit, Mich.	10, 000
Bossier City, La.	5, 000	East Providence, R.I.	—
Bowling Green, Ky.	8, 000	Easton, Pa.	10, 000
Bremerton, Wash.	0	El Centro, Calif.	2, 500
Brookfield, Wis.	10, 000	Elkhart, Ind.	2, 500
Brooklyn Ctr., Minn.	5, 000	Elmwood Park, Ill.	0
Burlington, Vt.	12, 000	Enfield, Conn.	10, 000
Burlington, Iowa	1, 000	Englewood, Colo.	11, 000
Butte, Mont.	1, 000	Escondido, Calif.	2, 000
Calumet City, Ill.	20, 000	Evergreen Park, Ill.	7, 000
Carbondale, Ill.	0	Fairborn, Ohio	5, 000

Population 25,000 to 50,000—Continued

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Fairlawn, N.J.	\$10,000	Lewiston, Idaho	\$10,000
Fairmont, W. Va.	10,000	Lexington, Mass.	2,000
Farmington, N. Mex.	5,000	Linden, N.J.	12,500
Findlay, Ohio	0	Littleton, Colo.	-----
Fitchburg, Mass.	2,000	Lombard, Ill.	15,000
Fond du Lac, Wis.	-----	Long Branch, N.J.	1,000
Fort Dodge, Iowa	0	Longmont, Colo.	-----
Fort Myers, Fla.	10,000	Lynwood, Calif.	3,000
Fort Pierce, Fla.	1,500	Madison Hts., Mich.	10,000
Freeport, Ill.	2,000	Manhattan Beach, Calif.	-----
Galesburg, Ill.	10,000	Mankato, Minn.	10,000
Gardena, Calif.	-----	Maple Heights, Ohio	3,000
Garden City, Mich.	10,000	Marion, Ohio	2,500
Garden City, N.Y.	20,000	Marlborough, Mass.	2,000
Garfield Heights, Ohio	0	Marple Township, Pa.	20,000
Gladstone, Mo.	3,000	Marshalltown, Iowa	5,000
Glen Cove, N.Y.	0	Mason City, Iowa	5,000
Glendora, Calif.	2,000	Massillon, Ohio	-----
Goldsboro, N.C.	-----	Mayfield Heights, Ohio	0
Grand Forks, N. Dak.	0	Maywood, Ill.	8,000
Grand Island, Neb.	3,000	Medford, Oreg.	10,000
Grand Jet., Colo.	-----	Melbourne, Fla.	5,000
Granite City, Ill.	2,000	Merced, Calif.	5,000
Gulfport, Miss.	5,000	Methuen, Mass.	-----
Hagerstown, Md.	2,000	Middletown, Ohio	5,000
Haltom City, Tex.	3,000	Midland, Mich.	-----
Harlingen, Tex.	1,000	Millcreek, Township, Pa.	5,000
Harvey, Ill.	3,000	Milton, Mass.	-----
Hattiesburg, Miss.	-----	Minot, N. Dak.	5,000
Haverhill, Mass.	2,000	Mishawaka, Ind.	10,000
Hazleton, Pa.	15,000	Moline, Ill.	0
Hempstead, N.Y.	0	Monroeville, Pa.	50,000
Highland, Ind.	5,000	Monrovia, Calif.	0
Highland Park, Ill.	0	Monterey, Calif.	2,000
Hobart, Ind.	10,000	Moorhead, Minn.	5,000
Hoboken, N.J.	0	Morgantown, W. Va.	0
Holland, Mich.	1,334	Morton Grove, Ill.	5,000
Holyoke, Mass.	2,000	Moundsville, W. Va.	1,000
Hot Springs, Ark.	5,000	Mount Prospect, Ill.	10,000
Huntington Park, Calif.	5,000	Murfreesboro, Tenn.	-----
Idaho Falls, Idaho	0	Muskegon, Mich.	6,000
Iowa City, Iowa	-----	Napa, Calif.	14,000
Ithaca, N.Y.	-----	Naperville, Ill.	10,000
Jackson, Mich.	15,000	Nashua, N.H.	2,000
Jackson, Tenn.	1,000	National City, Calif.	2,000
Jacksonville, N.C.	0	Naugatuck, Conn.	-----
Jamestown, N.Y.	20,000	Needham, Mass.	2,000
Johnstown, Pa.	15,000	New Albany, Ind.	5,000
Joplin, Mo.	3,000	Newark, Ohio	10,000
Kearny, N.J.	4,000	Newburgh, N.Y.	30,000
Kenmore, N.Y.	0	New Castle, Pa.	10,000
Kent, Ohio	10,000	New Iberia, La.	0
Key West, Fla.	\$300	New London, Conn.	5,000
Killeen, Tex.	1,000	Newport, R.I.	-----
Kingsport, Tenn.	6,000	Normal, Ill.	5,000
Kingsville, Tex.	0	Northampton, Mass.	1,000
Kirkwood, Mo.	0	North Chicago, Ill.	2,000
Lackawanna, N.Y.	25,000	North Kingstown, R.I.	10,000
Lafayette, Ind.	0	North Las Vegas, Nev.	10,000
Lake Worth, Fla.	2,000	North Miami, Fla.	2,000
Lancaster, Ohio	5,000	North Miami Beach, Fla.	5,000
Lansing, Ill.	10,000	North Providence, R.I.	-----
Las Cruces, N. Mex.	0	North Tonawanda, N.Y.	10,000
Lawrence, Kans.	1,500	Norwich, Conn.	6,000
Leavenworth, Ka.	2,000	Norwood, Ohio	20,000

Population 25,000 to 50,000—Continued

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Oak Park, Mich.	\$20,000	Selma, Ala.	
Oak Ridge, Tenn.	5,000	Shawnee, Okla.	\$2,000
Ocala, Fla.		Sherman, Tex.	
Olympia, Wash.		Saint Euclid, Ohio	0
Orange, Tex.	10,000	South Holland, Ill.	
Ottumwa, Iowa		State College, Pa.	
Pacific, Calif.	8,000	Steubenville, Ohio	
Palatine, Ill.	10,000	Stillwater, Okla.	5,000
Panama City, Fla.	0	Stratford, Conn.	7,500
Paramus, N.J.		Taunton, Mass.	
Parkersburg, W. Va.	5,000	Teaneck, N.J.	5,000
Park Forest, Ill.	15,000	Temple, Tex.	3,000
Park Ridge, Ill.	5,000	Texas City, Tex.	5,000
Parma Hgts., Ohio		Univ. City, Mo.	
Peabody, Mass.		Upland, Calif.	3,000
Pennsauken, N.J.	0	Upper Moreland Township, Pa.	25,800
Perth Amboy, N.J.	0	Urbana, Ill.	2,000
Petaluma, Calif.	2,000	Vacaville, Calif.	3,900
Petersburg, Va.		Vancouver, Wash.	4,000
Pittsburg, Calif.	5,000	Victoria, Tex.	
Plainfield, N.J.	4,000	Villa Park, Ill.	
Pocatello, Idaho		Wallingford, Conn.	3,000
Pompano Beach, Fla.		Warminster, Pa.	
Ponca City, Okla.	1,000	Watertown, Mass.	2,000
Port Huron, Mich.		Watertown, N. Y.	0
Pottstown, Pa.	10,000	Wayne, Pa.	20,000
Prichard, Ala.	0	Webster Groves, Mo.	
Rahway, N.J.	5,000	Weirton, W. Va.	10,000
Randolph, Mass.	1,000	Westfield, Mass.	1,000
Rapid City, S. Dak.	3,000	Westfield, N.J.	
Rayton, Mo.	5,000	Westminster, Colo.	10,000
Renton, Wash.	8,500	West Warwick, R.I.	8,000
Rialto, Calif.		Wethersfield, Conn.	10,000
Richardson, Tex.		Wheaton, Ill.	10,000
Richland, Wash.	9,000	Wheeling, W. Va.	10,000
Richmond, Ind.	1,000	Whitehall, Ohio	5,000
Ridgewood, N.J.	0	Wilkinsburg, Pa.	30,000
Rock Hill, S.C.	1,000	Williamsport, Pa.	7,500
Rome, Ga.	50%	Wilmette, Ill.	
Rome, N.Y.	4,000	Wilmington, N.C.	
Roswell, N. Mex.	6,000	Winona, Minn.	0
St. Charles, Mo.	14,000	Winter Park, Fla.	10,000
St. Cloud, Minn.	10,000	Woodland, Calif.	1,000
Salina, Kans.	4,000	Woonsocket, R.I.	20,000
San Bruno, Calif.	4,000	Wyandotte, Mich.	10,000
San Luis Obispo, Calif.	10,000	Xenia, Ohio	10,000
Santa Cruz, Calif.	5,000	Yakima, Wash.	3,000
Santa Maria, Calif.	8,000	Ypsilanti, Mich.	10,000
Sarasota, Fla.	2,000	Yuma, Ariz.	
Saugus, Mass.	2,000		
Seaside, Calif.	6,000		

Population 10,000 to 25,000

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Aberdeen, Wash.	\$5,000	Ardmore, Okla.	\$3,000
Ada, Okla.		Arkansas City, Kans.	0
Adrian, Mich.	10,000	Artesia, N. Mex.	
Albemarle, N.C.		Aston Township, Pa.	17,500
Albert Lea, Minn.	2,000	Astoria, Oreg.	10,000
Albion, Mich.	10,000	Atchison, Kans.	0
Alice, Tex.	2,000	Athens, Ohio	10,000
Alpena, Mich.	10,000	Auburn, Wash.	5,000
Amherst, Ohio	2,000	Augusta, Maine	
Andalusia, Ala.	2,000	Barre, Vt.	5,000

Population 10,000 to 25,000—Continued

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Barrington, R.I.	\$5,000	Coal Township, Pa.	0
Barstow, Calif.	10,000	Collinsville, Ill.	\$3,000
Bay City, Tex.	1,000	Colton, Calif.	2,000
Bay Village, Ohio.	10,000	Columbia, Pa.	0
Beacon, N.Y.	0	Columbia, Tenn.	-----
Beatrice, Nebr.	0	Columbus, Nebr.	5,000
Beaver Dam, Wis.	0	Conneaut, Ohio.	0
Beaver Falls, Pa.	10,000	Connorsville, Ind.	10,000
Beckley, W. Va.	15,000	Coventry, R.I.	3,000
Bedford, Ind.	0	Covington, Va.	2,000
Bedford, Ohio.	-----	Crowley, La.	0
Bellwood, Ill.	10,000	Cudahy, Wis.	-----
Belvidere, Ill.	5,000	Darby, Pa.	15,000
Bend, Oreg.	13,000	Deerfield, Ill.	8,000
Benton, Ark.	2,000	Delano, Calif.	3,000
Benton Harbor, Mich.	7,500	Delaware, Ohio.	5,000
Berkley, Mich.	16,000	Del Rio, Tex.	2,000
Berlin, N.H.	5,000	Denison, Tex.	10,000
Bethlehem Township, Pa.	13,000	Depew, N.Y.	20,000
Bexley, Ohio.	5,000	Derby, Conn.	2,000
Bloomsburg, Pa.	35,000	Dixon, Ill.	7,000
Bluefield, W. Va.	2,500	Dormont, Pa.	27,000
Bogalusa, La.	2,500	Dover, Ohio.	4,000
Boone, Iowa.	1,000	Duncan, Okla.	3,000
Borger, Tex.	0	Durango, Colo.	-----
Bound Brook, N.J.	5,000	Durant, Okla.	3,000
Bowling Green, Ohio.	10,000	Dyersburg, Tenn.	1,000
Boynton Beach, Fla.	2,500	East Grand Rapids, Mich.	15,000
Bradenton, Fla.	0	Eastlake, Ohio.	5,000
Brainerd, Minn.	5,000	East Liverpool, Ohio.	2,000
Brawley, Calif.	2,000	East Moline, Ill.	2,000
Bristol, R.I.	5,000	Ecorse, Mich.	10,000
Bristol, Va.	-----	Edinburg, Tex.	5,000
Brookfield, Ill.	10,000	Elizabeth City, N.C.	1,000
Brookings, S. Dak.	1,000	Ellwood City, Pa.	12,000
Brooklyn, Ohio.	0	Elmwood Park, N.J.	-----
Brownwood, Tex.	2,000	El Segundo, Calif.	-----
Bucyrus, Ohio.	0	Emmaus, Pa.	12,000
Butler, Pa.	5,000	Endicott, N.Y.	0
Cahokia, Ill.	2,000	Fairbanks, Alaska.	10,000
Cambridge, Md.	1,000	Fairfield, Ala.	10,000
Cambridge, Ohio.	4,000	Falls Church, Va.	-----
Campbell, Ohio.	5,000	Faribault, Minn.	3,000
Canonsburg, Pa.	10,000	Fergus Falls, Minn.	5,000
Canton, Ill.	5,000	Floral Park, N.Y.	15,000
Carbondale, Pa.	10,000	Fontana, Calif.	-----
Carlisle, Pa.	-----	Forest Park, Ill.	5,000
Carnegie, Pa.	2,500	Fort Thomas, Ky.	2,000
Carpentersville, Ill.	10,000	Ft. Walton Beach, Fla.	20,000
Casa Grande, Ariz.	4,000	Fostoria, Ohio.	3,000
Cedar Grove, N.J.	0	Frankfort, Ind.	0
Center Line, Mich.	20,000	Frankfort, Ky.	5,000
Chambersburg, Pa.	8,000	Franklin, Pa.	10,000
Chanute, Kans.	0	Frederick, Md.	2,000
Charles City, Iowa.	-----	Fredericksburg, Va.	-----
Chickasha, Okla.	0	Fremont, Ohio.	0
Chico, Calif.	2,000	Fulton, Mo.	2,000
Chino, Calif.	6,000	Gainesville, Ga.	7,500
Claremont, N.H.	3,000	Gainesville, Tex.	2,000
Clayton, Mo.	12,000	Galena Park, Tex.	0
Cleburne, Tex.	5,000	Gallup, N. Mex.	1,000
Cleveland, Miss.	0	Garden City, Kans.	-----
Cleveland, Tenn.	0	Girard, Ohio.	2,000
Cliffside Park, N.J.	0	Glassboro, N.J.	2,000
Clinton, Mass.	2,000	Glen Ellyn, Ill.	15,000

Population 10,000 to 25,000—Continued

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Glens Falls, N.Y.		Lyndhurst, N.J.	
Gloucester City, N.J.	\$1, 000	Lyndhurst, Ohio	0
Golden Valley, Minn.	384	Madera, Calif.	\$5, 000
Grand Haven, Mich.	4, 000	Madison, Ind.	2, 000
Grants Pass, Oreg.	10, 000	Madison, N.J.	
Greeneville, Tenn.	0	Mamaroneck, N.Y.	10, 000
Greenfield, Ind.	10, 000	Mandan, N. Dak.	0
Greensburg, Ind.	0	Manville, N.J.	
Greenville, Ohio	2, 000	Maplewood, Mo.	4, 000
Greenville, Tex.	10, 000	Marblehead, Mass.	2, 000
Griffin, Ga.	10, 000	Marietta, Ohio	0
Grosse Pointe Woods, Mich.	10, 000	Markham, Ill.	10, 000
Guthrie, Okla.	0	Marquette, Mich.	5, 000
Hanford, Calif.	8, 000	Martinsburg, W. Va.	0
Hannibal, Mo.	0	Martin's Ferry, Ohio	
Harper Woods, Mich.	10, 000	Martinsville, Va.	
Harrison, N.J.	2, 000	Massena, N.Y.	10, 000
Hastings, Nebr.	0	Mayfield, Ky.	0
Hays, Kans.	0	McAlester, Okla.	2, 000
Hazard, Ky.	2, 000	McComb, Miss.	0
Helena, Mont.	0	Menasha, Wis.	
Henderson, Ky.	2, 000	Menominee, Mich.	0
Hermosa Beach, Calif.	18, 000	Middlesboro, Ky.	0
Hickory, N.C.	2, 000	Middlesex, N.J.	2, 000
Highland Parkway, Tex.	4, 500	Middletown, N.Y.	20, 000
Homewood, Ala.	10, 000	Millbrae, Calif.	
Homewood, Ill.	8, 000	Milledgeville, Ga.	
Hopewell, Va.	19, 000	Mill Valley, Calif.	5, 000
Hopkins, Minn.	5, 000	Mineral Wells, Tex.	2, 000
Hopkinsville, Ky.	0	Mission, Tex.	2, 000
Hornell, N.Y.	0	Mitchell, S. Dak.	3, 000
Huntington, Ind.	2, 000	Moberly, Mo.	0
Huntsville, Tex.	6, 000	Montclair, Calif.	10, 000
Huron, S. Dak.	2, 500	Morristown, N.J.	
Hurst, Tex.	5, 000	Morristown, Tenn.	
Independence, Kans.		Mountain Brook, Ala.	10, 000
Jacksonville, Ark.		Mt. Pleasant, Mich.	
Jacksonville Beach, Fla.	6, 000	Mt. Vernon, Ill.	
Jeannette, Pa.	10, 000	Mt. Vernon, Ohio	2, 000
Jennings, Mo.	0	Mundelein, Ill.	0
Johnson City, N.Y.	20, 000	Munster, Ind.	5, 000
Kalispell, Mont.	0	Muscataine, Iowa	5, 000
Kearney, Nebr.	10, 000	Muskegon Heights, Mich.	8, 000
Kingston, Pa.	1, 000	Nanticoke, Pa.	1, 000
Laconia, N.H.		Naples, Fla.	2, 000
Lake Forest, Ill.	5, 000	Natchez, Miss.	2, 000
Lamesa, Tex.	5, 000	Nederland, Tex.	9, 000
Lansdale, Pa.	20, 000	Newark, Del.	2, 500
Lansdowne, Pa.	10, 000	Newark, N.Y.	20, 000
LaPorte, Ind.	5, 000	New Smyrna Beach, Fla.	5, 000
Laramie, Wyo.	0	Newton, Iowa	5, 000
Latrobe, Pa.		New Ulm, Minn.	5, 000
Lauderhill, Fla.	5, 000	Niles, Mich.	8, 000
Laurel, Miss.		Norfolk, Nebr.	5, 000
Lebanon, Tenn.	5, 000	Norridge, Ill.	10, 000
Levelland, Tex.	2, 000	North College Hill, Ohio	0
Lexington, N.C.	2, 000	North Providence, R.I.	0
Lincolnwood, Ill.	2, 000	North Versailles, Pa.	35, 000
Lock Haven, Pa.	13, 000	Norwalk, Ohio	0
Logan, Utah	10, 000	Oil City, Pa.	5, 000
Logansport, Ind.	0	Olean, N.Y.	
Lwr. Burrell, Pa.	10, 000	Oneida, N.Y.	0
Lower Southampton Town- ship, Pa.	20, 000	Oneonta, N.Y.	20, 000
Lufkin, Tex.	3, 000	Opelika, Ala.	3, 000
		Oregon, Ohio	

Population 10,000 to 25,000—Continued

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Ossining, N.Y.	0	Sanford, N.C.	0
Ottawa, Kans.	0	Santa Paula, Calif.	0
Overland, Mo.	0	Sapulpa, Okla.	0
Owatonna, Minn.	\$1, 000	Saratoga Springs, N.Y.	\$3, 000
Owosso, Mich.	10, 000	Scarsdale, N.Y.	0
Pacific Grove, Calif.	0	Scottsbluff, Nebr.	2, 000
Painesville, Ohio	0	Secaucus, N.J.	0
Palestine, Tex.	1, 000	Seguin, Tex.	5, 000
Palisades Pk., N.J.	0	Seymour, Ind.	0
Palm Beach, Fla.	0	Shamokin, Pa.	2, 000
Palm Sprgs., Calif.	15, 000	Sheffield, Ala.	2, 000
Palmer Twp., Pa.	18, 000	Shelbyville, Ind.	5, 000
Pampa, Tex.	2, 500	Sheridan, Wyo.	0
Paris, Tenn.	5, 000	Sidney, Ohio	6, 500
Pasco, Wash.	2, 500	Sikeston, Mo.	0
Pembroke Pines, Fla.	20, 000	Smyrna, Ga.	5, 000
Pendleton, Oreg.	5, 000	Somerville, N.J.	0
Peru, Ill.	0	Southbridge, Mass.	5, 000
Peru, Ind.	0	South Charleston, W. Va.	10, 000
Phillipsburg, N.J.	0	South Kingstown, R.I.	15, 000
Pierre, S.Dak.	2, 000	South Milwaukee, Wis.	10, 000
Plattsburgh, N.Y.	0	South Orange, N.J.	0
Plymouth, Pa.	0	South Pasadena, Calif.	3, 000
Popular Bluff, Mo.	0	South Plainfield, N.J.	0
Portage, Ind.	0	South St. Paul, Minn.	5, 000
Port Angeles, Wash.	0	South San Francisco, Calif.	5, 000
Port Chester, N.Y.	10, 000	South Whitehall Township, Pa.	20, 000
Portsmouth, N.H.	5, 000	Springdale, Ark.	0
Portsmouth, Ohio	3, 000	Statesville, N.C.	2, 000
Prairie Village, Kans.	0	Sterling, Colo.	1, 000
Prescott, Ariz.	7, 000	Stevens Point, Wis.	0
Presque Isle, Maine	0	Stow, Ohio	0
Pulaski, Va.	0	Struthers, Ohio	5, 000
Pullman, Wash.	10, 000	Summit, Ill.	10, 000
Puyallup, Wash.	5, 000	Sunbury, Pa.	5, 000
Randolph, N.J.	8, 000	Swampscott, Mass.	2, 000
Rantoul, Ill.	5, 000	Sylvania, Ohio	5, 000
Ravenna, Ohio	5, 000	Takoma Park, Md.	0
Reading, Mass.	1, 000	Tamarac, Fla.	15, 000
Reading, Ohio	5, 000	The Dallas, Oreg.	10, 000
Red Bank, Tenn.	3, 000	Thomasville, N.C.	1, 000
Red Wing, Minn.	5, 000	Tiffin, Ohio	0
Richmond Heights, Mo.	0	Tracy, Calif.	5, 000
Riverdale, Ill.	5, 000	Trenton, Mich.	8, 000
River Edge, N.J.	0	Trinidad, Colo.	0
River Forest, Ill.	5, 000	Troy, Ala.	1, 500
River Rouge, Mich.	25, 000	Troy, Ohio	8, 000
Riviera Beach, Fla.	10, 000	Tulare, Calif.	2, 000
Robbinsdale, Minn.	35, 000	Tullahoma, Tenn.	5, 000
Rochester, N.H.	0	Union, S.C.	0
Rock Springs, Wyo.	0	Van Wert, Ohio	4, 000
Rocky River, Ohio	0	Vermilion, Ohio	5, 000
Rolla, Mo.	10, 000	Vermillion, S. Dak.	3, 000
Rolling Meadows, Ill.	10, 000	Vernon, Tex.	7, 000
Roselle Park, N.J.	0	Verona, N.J.	0
Roseville, Calif.	0	Vienna, Va.	0
Rutland, Vt.	8, 000	Virginia, Minn.	4, 000
Rye, N.Y.	0	Wabash, Ind.	0
Saddle Brook, N.J.	25, 000	Wadsworth, Ohio	10, 000
St. Albans, W. Va.	0	Warren, Pa.	20, 000
St. Joseph, Mich.	5, 000	Warrensville Heights, Ohio	5, 000
Salem, Ohio	2, 000	Washington, Ind.	2, 000
Salisbury Township, Pa.	25, 000	Watertown, S. Dak.	1, 000
San Fernando, Calif.	0	Waterville, Me.	0
Sanford, Fla.	25, 000		

Population 10,000 to 25,000—Continued

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Watervliet, N.Y.	\$5,000	Wickliffe, Ohio	\$10,000
Wayne, Mich.	12,000	Willmar, Minn.	0
Wenatchee, Wash.	5,000	Willoughby, Ohio	5,000
Weslaco, Tex.	2,000	Willowick, Ohio	-----
Westbrook, Maine	0	Wilmington, Ohio	20,000
Westchester, Ill.	10,000	Winchester, Va.	-----
Western Springs, Ill.	5,000	Winfield, Kans.	10,000
West Lafayette, Ind.	2,000	Winter Haven, Fla.	10,000
Westlake, Ohio	0	Wooster, Ohio	0
Whitehall Township, Pa.	10,000	Yeadon, Pa.	25,000
White Settlement, Tex.	2,000	Zion, Ill.	0

Population under 10,000

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Arnold, Pa.	\$10,000	Mahanoy City, Pa.	\$2,000
Ashland, Wis.	9,000	Merchantville, N.J.	10,000
Bangor, Pa.	10,000	Middletown, Pa.	50,000
Bath, Pa.	30,000	Monticello, Ind.	-----
Bay Harbor Island, Fla.	20,000	Mt. Carmel, Pa.	3,000
Beaver, Pa.	20,000	Mt. Penn., Pa.	10,000
Bedford, Va.	3,000	Nazareth, Pa.	12,000
Bellevue, Ohio	5,000	Noblesville, Ind.	10,000
Bellevue, Pa.	30,000	Northampton, Pa.	5,000
Birdsboro, Pa.	10,000	North Braddock, Pa.	7,500
Bluffton, Ind.	2,000	Palmerton, Pa.	10,000
Bratenahl, Ohio	0	Park Ridge, N.J.	10,000
Brazil, Ind.	-----	Pen Argyl, Pa.	0
Cairo, Ill.	-----	Pittston, Pa.	-----
Carey, Ohio	0	Port Clinton, Ohio	2,000
Catasauqua, Pa.	10,000	Portland, Ind.	2,000
Chickasaw, Ala.	-----	Princeton, Ind.	2,000
Clifton Forge, Va.	1,000	Pryor, Okla.	3,000
Coldwater, Mich.	5,000	Rochester, Pa.	22,000
Colonial Beach, Va.	0	St. Marys, Ohio	0
Coopersburg, Pa.	0	San Marino, Calif.	-----
Coplay, Pa.	6,000	Sayre, Pa.	2,000
Decatur, Ind.	4,000	Seminole, Okla.	0
Delphos, Ohio	0	Shadyside, Ohio	0
Devils Lake, N. Dak.	-----	Sharpsville, Pa.	14,000
Edgewater, Fla.	15,000	Shelbyville, Ill.	3,000
Fountain Hill, Pa.	7,500	Shenandoah, Pa.	15,000
Fredericksburg, Pa.	0	Slatington, Pa.	10,000
Fremont, Mich.	2,000	Tallassee, Ala.	3,000
Greencastle, Ind.	6,000	Tipton, Ind.	5,000
Hales Corner, Wis.	13,000	Twinsburg, Ohio	0
Hellertown, Pa.	15,000	Urbana, Ohio	-----
Hillsboro, Ohio	0	Vinita, Okla.	4,000
Hopkinton, N.H.	10,000	Walnutport, Pa.	-----
Hudson, N.Y.	0	Wapakoneta, Ohio	2,000
Ironwood, Mich.	0	Wellsville, Ohio	1,000
Jackson, Ohio	0	West Frankfort, Ill.	10,000
Jasper, Ind.	1,000	West Reading, Pa.	10,000
Jersey Shore, Pa.	35,000	Wildwood, N.J.	-----
Keyser, W. Va.	0	Wind Gap, Pa.	5,000
Kermit, Tex.	4,000	Wyomissing, Pa.	10,000
Lawrenceburg, Ind.	0		

State police and highway patrol miscellaneous

Amount (\$) life insurance contributed by employer		Amount (\$) life insurance contributed by employer	
Alaska State Police	\$2,000	Florida Highway Patrol	\$10,000
California Highway Patrol	5,000	Georgia State Patrol	0
Colorado State Patrol	-----	Idaho State Police	10,000
Connecticut State Police	-----	Illinois State Police	-----

State police and highway patrol miscellaneous—Continued

<i>Amount (\$) life insurance contributed by employer</i>		<i>Amount (\$) life insurance contributed by employer</i>	
Indiana State Police.....	\$10, 000	North Carolina Highway Patrol.....	0
Iowa State Police.....	5, 000	North Dakota State Police.....	0
Maine State Police.....	-----	Oklahoma Highway Patrol.....	\$12, 000
Maryland State Police.....	0	Oregon State Police.....	10, 000
Michigan State Police.....	-----	Pennsylvania State Police.....	-----
Minnesota State Police.....	5, 000	Tennessee State Police.....	-----
Mississippi Highway Patrol.....	-----	Texas State Police.....	6, 000
Missouri State Highway Patrol.....	0	Utah Highway Patrol.....	10, 000
Nevada Highway Patrol.....	-----	Vermont State Police.....	8, 000
New Hampshire State Police.....	0	Washington State Patrol.....	0
New Mexico State Police.....	25, 000	West Virginia State Police.....	14, 000
New York State Police.....	0	Wisconsin State Police.....	0
		Wyoming Highway Patrol.....	0

Miscellaneous

<i>Amount (\$) life insurance contributed by employer</i>	<i>Amount (\$) life insurance contributed by employer</i>
Annapolis, Md. Special Police.....	0
Anne Arundel, M.I. County Police.....	\$2,000
Baltimore, Md. Campus Police -----	0
Clayton Co., Ga. County Police.....	6,000
Clayton Co., Mo. County Police.....	10,000
Crown Point, Ind. Sheriff's Office.....	15,000
Davidson, Tenn., County Police.....	-----
Philadelphia, Pa. Federal Police.....	10,000
Hilo, Hawaii County Police.....	-----
Indian River Co., Fla. Sheriff's Office.....	10,000
Kingman, Ariz. Sheriff's Office.....	5,000
La Plata, Md. Sheriff's Office.....	5,000
Louisville, Ky. County Police.....	\$2,000
Mays Landing, N.J. Sheriff's Office.....	0
Newport, R.I. Department of Defense.....	-----
Phoenix, Ariz. Sheriff's Office.....	16,000
Pinellas Co., Fla. County Police.....	1,000
Prince Georges, Md. Sheriff's Department.....	-----
Riley Co., Kans. County Police.....	-----
Sarasota, Fla. Sheriff's Office.....	10,000
Shelbyville, Ind. Sheriff's Office.....	15,000
Topeka, Kans. Cap. Sec. Patrol.....	-----
Towson, Md. Sheriff's Office.....	0
Washington, D.C. Capitol.....	0

FRATERNAL ORDER OF POLICE



The Only National Police Organization

FOUNDED MAY 14, 1915
IN PITTSBURGH, PA.

CHARTERED IN PENNSYLVANIA
NOVEMBER 17, 1915

PREAMBLE TO THE CONSTITUTION

We, the police officers of the United States and of the several states and political subdivisions thereof, as Representatives and Delegates of State and Subordinate Lodges, do hereby associate the Lodges we represent and the members thereof together for the following purposes:

To support and defend the Constitution of the United States; to inculcate loyalty and allegiance to the United States of America; to promote and foster the enforcement of law and order; to improve the individual proficiency of our members in the performance of their duties; to encourage social, charitable and educational activities among policemen; to advocate and strive for uniform application of the civil service merit system for appointment and promotion; to create a tradition of esprit de corps insuring fidelity to duty under all conditions and circumstances; to cultivate a spirit of fraternalism and mutual helpful-

ness among our members and the people we serve; to increase the efficiency of the police profession and thus more firmly to establish the confidence of the public in the service dedicated to the protection of life and property.

ARTICLE II — SECTION 2 OF THE CONSTITUTION

The Fraternal Order of Police is strictly non-sectarian, and shall have no affiliation, directly or indirectly, with any labor union, congress, federation or committee of like nature, or political action committee, or similar organization by whatever name known.

The Fraternal Order of Police shall not strike or by concerted action cause a cessation of the performance of the Police duties, or induce other members or lodges to do likewise. The penalty for such action by any member, or subordinate lodge, shall be immediate expulsion from the Fraternal Order of Police.

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APPENDIX 4

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

56TH ANNUAL FIRE DEPARTMENT WORKING CONDITIONS SURVEY IN THE
UNITED STATES AND CANADA (PART 2)

January 1975

LIST OF ABBREVIATIONS

acc	accumulate	per	permission
A.C.	Accidental Death	perf	perfect
A. D. & D.	Accidental Death & Dismemberment	pers	personnel
aft	after	pm	afternoon
am	morning	qtrly	quarterly
ann	annual	reg	regular
attend	attendance	rel	relative
ch	chief	resp	respectively
comp	compensatory	rt	rate
D.C.	Dental Coverage	sal	salary
D.I.	Disability Insurance	seq	sequence
disc	discretion	sh	shift
ea	each	St	Saint
emg	emergency	str	straight
est	estimate	sv	service
fam	family	twp	township
F.C.	Family Coverage	unl	unlimited
turn	furnished	vac	vacation
grs	gross	wkly	weekly
hgts	heights	wks	weeks
hr	hour	w/o	without
inc	increase	wrk	work
immed	immediate	y	year (salaries only)
legit	legitimate	yr	year (working conditions)
lv	leave		
max	maximum		
mbr	member		
med	medical		
min	minimum		
mo	month		
nec	necessary		
OD	off-duty		
opt	option		
par	partially		

Symbols

@	after
¢	cent
\$	dollar
=	equal
/	per
+	plus
×	times

Life insurance			Life insurance		
	Amount	Cost to city (percent)		Amount	Cost to city (percent)
Alabama:			Arkansas:		
Andalusia.....	\$1,000.....	100	Hot Springs.....	\$2,000.....	100
Auburn.....		50	Malvern.....	\$1,000.....	100
Birmingham.....		100	Pine Bluff.....	\$1,500.....	100
Fairfield.....	\$10,000.....	100	Russellville.....	\$2,000.....	100
Gadsden.....	\$7,000.....	100	Texarkana.....	\$2,000.....	
Huntsville.....	\$10,000.....	100	California:		
Mobile.....	\$5,000.....	100	Alameda.....	\$7,000.....	0
Montgomery.....	\$2,500.....	100	Alhambra.....		
Selma.....			Avalon.....	\$5,000.....	100
Sheffield.....	\$2,000.....	100	Belmont.....	\$12,000.....	100
Tuscaloosa.....	\$5,000.....	100	Benicia.....		
Alaska:			Berkeley.....	\$1,000.....	
Anchorage.....	Annual salary to highest thousand.	100	Brisbane.....	\$14,000.....	100
Fairbanks.....	\$10,000.....	100	Burlingame.....	\$5,000.....	100
Arizona:			California forestry.....		
Bisbee.....	\$2,000.....		Campbell.....	\$10,000.....	100
Flagstaff.....	\$6,000.....	100	Chula Vista.....	\$3,000.....	100
Glendale.....	\$1,000 over gross inc.	100	Claremont.....	\$12,000.....	75
Mesa.....	\$10,000 to 20,000.....	100	Clovis.....	\$5,000.....	100
Phoenix.....	\$4,000.....	100	Contra Costa County.....	\$2,500.....	67
Tempe.....	\$5,000.....	100	Coronado.....		
Tucson.....	Equal to 1 yr salary.....	75	Culver City.....	\$10,000.....	100
Yuma.....	Annual salary.....	100	Dale City.....		
			Eureka.....	\$5,000.....	100
			Fontana.....		

Life insurance				Life insurance			
Amount		Cost to city (percent)		Amount		Cost to city (percent)	
California:				Connecticut:			
Fremont	\$5,000	100		Naugatuck	\$10,000	100	
Fresno	\$1,500	100		New Britain	\$5,000	100	
Garden Grove	Annual salary	100		New London			
Half Moon Bay	\$14,000 to \$28,000	100		Norwalk			
Hemet				Norwich	\$12,000	100	
Kern County				Stratford	\$5,000	100	
LaHabra	\$11,000	100		Torrington	\$5,000	100	
Livermore	\$1,000	100		Wallingford	\$12,000	100	
Los Altos	1½ times annual salary	100		Waterbury	\$4,000	100	
Los Angeles				West Hartford	\$21,000	100	
Los Angeles County	\$2,000	100		West Haven	\$5,000	100	
Madera	\$2,500	100		Westport	\$5,000	100	
Marin County				Willimantic	\$7,500	100	
Marysville	\$8,000	100		Delaware: Wilmington	\$30,000	100	
Merced	\$5,000	100		District of Columbia	2d thousand above salary	66½	
Merced County				Florida:			
Millbrae	Annual salary to high thousand	100		Boynton Beach	\$25,000	100	
Modesto	\$2,000	100		Clearwater	1 percent of base pay		
Morro Bay	\$2,500	0		Cocoa Beach	\$23,000	100	
Mountain View	Annual salary	100		Conway		100	
Newark	\$2,000	100		Coral Gables	\$20,000	100	
Oakland				Dade City	\$5,000	100	
Orange	\$2,000	100		Dade County			
Oxnard	\$5,000	100		Davie	\$20,000	100	
Palos Verdes Estates	\$5,000			Daytona Beach	\$20,000	100	
Petaluma	\$2,000	100		Deerfield Beach	\$6,000	100	
Piedmont				Delray Beach	\$10,000	100	
Pleasanton	\$10,000	100		Fort Lauderdale	4 times annual salary plus \$20,000	94	
Richmond				Fort Myers	\$20,000	100	
Sacramento	\$2,500	100		Gainesville	\$20,000	50	
Salinas				Hollywood	\$20,000	100	
San Bernardino	\$1,000	100		Homestead	\$5,000	100	
San Diego				Jacksonville	\$22,000	100	
San Francisco				Kissimmee	\$5,000	100	
San Jose	\$5,000	100		Lake City	\$2,000	100	
San Mateo	\$10,000	100		Lakeland	\$31,000		
San Rafael	\$5,000	100		Lake Worth	\$20,000	100	
Santa Barbara				Lauderhill	\$2,500	100	
Santa Clara	\$10,000	100		Miami		80	
Santa Cruz				Miami Springs	\$2,000	100	
Santa Monica				Naples	\$2,000	100	
Santa Rosa	\$5,000	100		Newport Richey	\$3,000	100	
South Gate	\$3,000			New Smyrna Beach	\$10,000	100	
Spring Valley				North Miami Beach	2.5 times year pay	100	
Stanford				North Naples	\$26,000	100	
Stockton				Oakland Park	\$20,000	100	
Torrance				Orlando	\$5,000	100	
Union City	\$10,000	100		Pampano Beach	\$20,000	100	
University of California	\$5,000	100		Reedy Creek	Annual salary	100	
Vernon	\$10,000	100		St. Petersburg	\$10,000	50	
Vallejo				St. Petersburg Beach	\$5,000	100	
Watsonville				Tallahassee	\$20,000	0	
Whittier				Tampa	\$15,000	100	
Woodside Fire	\$14,000 to \$28,000	100		Tarpon Springs	\$5,000	100	
Colorado:				Vero Beach	\$8,000	100	
Bancroft	\$10,000	100		West Palm Beach	\$20,000	100	
Boulder	\$12,000	33½		Winter Park	\$7,000 to \$10,000	100	
Canon City	\$4,000	100		Georgia:			
Cherry Hills	\$10,000	100		Atlanta	Varies according year salary	100	
Colorado Springs	1½ times annual salary	50		DeKalb County	Up to \$20,000	60	
Denver				Marietta	Varies according year salary	100	
Englewood	\$11,000	100		Waycross	\$1,000	50	
Fort Collins	Equal annual salary	50		Hawaii	\$20,000	100	
Greeley	\$5,000	100		Idaho:			
Leadville	\$2,000	100		Boise		100	
Longmont	\$13,000	100		Coeur D'Alene	\$1,500	100	
Pueblo				Idaho Falls		100	
Thornton	1½ times annual salary	100		Kellog	\$2,000	100	
West Adams County				Lewiston	\$5,000	100	
Connecticut:				Pocatello	\$3,000	100	
East Haven	\$5,000	100		Twin Falls	\$2,000	100	
Hartford	\$20,000	100		Whitney	\$1,000	100	
Meriden	\$4,000	100					
Milford	Annual salary	100					

Life insurance			Life insurance		
	Amount	Cost to city (percent)		Amount	Cost to city (percent)
Illinois:			Indiana:		
Alton	\$2,000	100	Warren Township		
Aurora			Washington Township	\$20,000	90
Berwyn	\$10,000	100	West Lafayette	\$5,000	99
Bloomington			Iowa:		
Calo			Ames	\$10,000	100
Carbondale			Boone	\$1,000	100
Champaign	\$2,000	42	Burlington		
Chicago	\$6,000	0	Cedar Falls	\$2,000	100
Chicago Heights			Cedar Rapids	\$10,000	100
Danville	\$2,000	100	Charles City	\$5,000	
Decatur	\$5,000	100	Council Bluffs	\$5,000	100
DeKalb			Davenport	\$10,000	0
Dixon	\$7,000	100	Dubuque	\$6,000	100
East Alton	\$5,000	100	Fort Dodge		
East Moline	\$1,000	100	Fort Madison		
East Peoria	\$5,000	100	Iowa City	\$1,000	100
Edwardsville	\$3,000	90	Keokuk	\$5,000	50
Elgin	\$1,000	100	Marion	\$5,000	100
Franklin Park	\$5,000	100	Marshalltown	\$5,000	100
Granite City	\$2,000 to \$5,000	50	Mason City	\$5,000	100
Harrisburg			Muscatine	\$5,000	100
Herrin			Newton	\$5,000	100
Jacksonville			Oelwein		
Joliet	\$10,000	100	Oskaloosa		
Kankakee	\$2,000	100	Sioux City	\$5,000	100
Kewanee	\$5,000	100	Waterloo	\$10,000	0
LaGrange	\$30,000	66½	Kansas:		
Lockport	\$8,000	100	Arkansas City	\$6,000	
Marion			Coffeyville	\$12,000	85
Mattoon	\$5,000	99	Eldorado		
Northbrook	Nearest \$1,000 salary	100	Great Bend	\$5,000	50
North Maine	\$10,000	100	Hays	\$15,000	100
Ottawa			Kansas City	\$40,000	100
Paris	\$1,000	100	Lawrence	\$5,000 to \$10,000	100
Peoria	\$1,000	0	Manhattan	\$20,000	85
Quincy	\$1,500	100	Newton	\$2,000	100
Rock Island	\$3,000	0	Prairie Village		
Springfield	\$15,000	100	Salina		
Sterling	\$3,000	100	Topeka	\$30,000	85
University of Illinois	½ annual salary	100	Wichita	\$5,000 to \$20,000	50
Urbana			Kentucky:		
Waukegan	\$5,000	100	Henderson	\$3,000	100
Winnetka			Hopkinsville		
Indiana:			Louisville		
Alexandria	\$10,000		Owensboro	\$12,000 to 18,000	100
Anderson	\$20,000		Paducah	\$12,400	100
Brazil	\$10,000		Shively	\$15,000	100
Clay Township	\$10,000	100	Somerset		
Columbus	\$7,000	100	Louisiana:		
Connersville	\$2,000	75	Abbeville	\$2,000	25
Elkhart	\$15,000	100	Baton Rouge	\$13,000	100
Elwood			Bogalusa	\$2,500	100
Evansville	\$20,000		Crowley		
Frankfort			Eunice	\$2,000	50
Gary	1½ times annual salary	100	Hammond		
Goshen			Houma	\$3,000	50
Hammond	\$10,000	100	Kenner	\$2,000	100
Hobart	\$10,000	100	Lafayette	\$10,000	100
Indianapolis	\$2,000	100	Lake Charles	\$5,000	50
Kendallville			Minden	\$6,000	50
Kokomo	\$10,000	100	Monroe		
Lafayette	\$10,000	0	New Iberia	\$3,000	100
Laporte	\$5,000	100	Pineville		
Logansport			St. Bernard	\$2,000	100
Marion	\$3,000	0	Scottsbluff-Banks	\$8,000	100
Michigan City	\$5,000 to \$10,000	100	Shreveport		
Mishawaka	\$10,000		Sulphur	\$5,000	100
Monticello			Maine:		
Muncie			Augusta	\$7,500	100
Peru	\$5,000	70	Biddeford	\$1,000	100
Portage	\$10,000	0	Brewer	\$7,000	100
Richmond			Gardiner	\$9,000	72.3
Seymour	\$3,000	99	Old Orchard Beach	Salary	100
Shelbyville	\$5,000	100	Old Town	\$2,000	50
South Bend	\$2,000	100	Rockland		
Speedway	\$5,000	100	Rumford		
Tipton	\$5,000		Saco		
Vincennes			Sanford		
			South Portland	\$10,000	60
			Waterville		

Life insurance			Life insurance		
	Amount	Cost to city (percent)		Amount	Cost to city (percent)
Maryland:			Massachusetts:		
Annapolis	\$12,000	100	Seekonk	\$10,000	
Anne Arundel County	\$2,000	100	Sharon		
Baltimore	\$10,000	100	Somerville	\$2,000	100
Baltimore County	\$10,000		Southbridge	\$2,000	0
Baltimore/Washington International Airport			Springfield	\$2 to \$4,000	50
Cumberland	\$2,000	100	Stoneham	\$2,000	50
Prince Georges County	50×mo. salary +20×yr salary.	100	Sudbury	\$2,000	100
Salisbury			Swampscott	\$2,000	0
Massachusetts:			Tewksbury		
Abington	\$2,000	50	Wakefield	\$2,000	50
Acton	\$2,000	50	Waltham	\$2,000	50
Agawam	\$2,000	50	Ware		
Amesbury	\$10,000	100	Watertown	\$2,000	50
Amherst	\$2,000	75	Wayland	\$4,000	50
Andover	\$2,000	50	Westfield	\$2,000	100
Ashland	\$3,000	100	Westport	\$2,000	50
Athol	\$2,000	75	West Springfield	\$2,000	50
Bedford	\$2,000		Westwood	\$2,000	50
Bellingham	\$2,000	50	Weywood	\$2,000	50
Belmont	\$2,000	50	Whitman	\$2,000	
Beverly	\$3,000	50	Wilbraham	\$2,000	50
Boane	\$2,000	100	Wilmington	\$2,000	50
Brockton	\$2,000	75	Winchester	\$2,000	50
Brookline	\$2,000	90	Worcester	\$2,000	100
Cambridge			Yarmouth	\$2,000	100
Canton	\$10,000	50	Michigan:		
Centerville-Osterville	\$2,000	50	Adrian	\$10,000	100
Chelmsford	\$2,000	50	Allen Park	\$15,000	100
Chicopee	\$4,000	50	Alpena	\$10,000	100
Concord	\$2,000	100	Ann Arbor	\$19,000	100
Dedham	\$2,000	50	Ann Arbor Township	\$10,000	100
Duxbury	\$2,000	75	Battle Creek	\$15,000	100
Everett	\$2,000		Battle Creek Township		
Fall River	\$2,000		Benton Harbor	\$75,000	100
Framingham	\$2,000	50	Benton Township	\$10,000	100
Gloucester	\$2,000	75	Big Rapids	\$2,000	100
Harwich	\$2,000	50	Birmingham	\$20,000	
Haverhill	\$2,000	50	Blackman Township	\$10,000	100
Holbrook	\$2,000	50	Center Line	20,000 dbl ind	100
Holyoke	\$4,000	50	Clinton Township	\$10,000	100
Hopedale	\$10,000	100	Commerce Township	\$10,000	
Hudson	\$20,000		Dearborn	\$11,000	100
Ipswich			Dearborn Heights	\$10,000	100
Kingston	\$2,000	50	Detroit	\$17,500	50
Lawrence	\$2,000	100	East Detroit	\$10,000	100
Leominster	\$2,000	75	Ecorse	\$10,000	100
Lexington	\$2,000	50	Emmett Township	\$10,000	100
Ludlow	\$2,000	50	Escanaba	\$5,000	100
Lynn	\$2,000	100	Ferndale	\$18,000	100
Malden	\$2,000	75	Flint	\$10,000	100
Marblehead	\$2,000	75	Fraser	\$10,000	100
Marlboro			Garden City	\$10,000	100
Maynard	\$2,000	50	Grand Rapids	\$15,000	100
Medford	\$2,000	50	Grosse Pointe Farms	\$10,000	100
Melrose			Grosse Pointe Park	\$13,000	100
Milford	\$2,000	50	Hampton	\$5,000	100
Milton	\$2,000	50	Hamtramck	\$5,000	100
Needham	\$2,000	50	Harrison Township	\$10,000	100
New Bedford	\$2,000	50	Hazel Park	\$20,000	100
Newburyport	\$2,000	75	Holland	\$5,000	100
Northampton	\$2,000	50	Inkster	\$15,000	100
North Andover	\$2,000	35	Ionia	\$5,000	100
North Attleboro	\$2,000	100	Iron Mountain	\$2,000	100
North Reading	\$2,000	50	Ironwood		
Norwood	\$2,000	50	Jackson	\$50,000 to \$5,000 declining	100
Peabody	\$2,000	99	Kalamazoo	\$15,000	100
Pembroke	\$2,000	50	Kingsford		
Plymouth	\$2,000	99	Lincoln Park	\$7,000	100
Randolph	\$3,000	50	Livonia	\$19,000 to \$27,000	100
Reading	\$2,000	50	Madison Heights	\$10,000	100
Rockland	\$2,000 double indemnity.	100	Marysville	\$10,000	100
Salem	\$2,000	65	Melvindale	\$10,000	100
Sandwich	\$2,000	98	Menominee	\$2,000	100
Saugus	\$2,000	100	Meridan Township	Salary to high thousands.	100
Scituate			Midland	\$10,000 tr 11,000 pd up.	

Life insurance			Life insurance		
	Amount	Cost to city (percent)		Amount	Cost to city (percent)
Michigan:			New Hampshire:		
Monroe	\$12,500	100	Berlin	\$5,000	100
Mount Clemens	\$15,000	100	Claremont	\$2,000	100
Muskegon	\$8,000	100	Concord		
Plymouth	\$15,000	100	Dover	\$2,000	100
Pontiac	\$20,000	100	Manchester		
Portage	\$5,000	60	Portsmouth		
Port Huron	Equal to base pay	100	New Jersey:		
Redford Township	\$20,000	100	Camden		
River Rouge	\$25,000	100	Elizabeth	\$11,500	100
Roseville	\$15,000	100	Hackensack		
Royal Oak	\$20,000	100	Harrison	\$2,500	100
Saginaw	\$10,000	66½	Irvington	3½ times salary	0
St. Clair Shores	\$10,000 to 20,000	100	Jersey City	\$5,000	100
St. Joseph	\$10,000	100	Newark	\$5,000	100
Shelby Township	\$3,000 to \$20,000	100	Northfield	3½ times salary	
Southfield	\$20,000	100	West New York		
Southgate	\$15,000	100	Woodbridge	\$6,000	100
Sterling Heights	\$20,000	100	New Mexico:		
Traverse City	\$2,000	100	Albuquerque	\$6,000 to \$26,000	100
Westland	\$15,000	100	Raton		
Wyandotte	\$10,000	100	Carlsbad	\$5,000	50
Ypsilanti Township	\$20,000	100	New York:		
Minnesota:			Balavia		
Austin	\$4,000	100	Binghamton		
Coon Rapids	\$10,000	100	Brighton		
Duluth	\$2,000	100	Buffalo	\$5,000	100
Edina	\$5,000	100	Canandaigua	\$50,000	100
Faribault	\$3,000	60	Dunkirk	\$3,000	100
Fridley	\$10,000		Eastchester		
Mankato	1 yrs pay	100	Elmira	\$5,000	0
Minneapolis	\$5,000	0	Endicott		
Owatonna	\$1,000	100	Fairview		
Red Wing	\$2,000	100	Garden City	\$50,000	100
Rochester	\$10,000	100	Gloversville		
St. Cloud	\$10,000	100	Greenville		
St. Louis Park	\$5,000	100	Hartsdale		
St. Paul	\$5,000	100	Hornell		
South St. Paul	\$5,000	100	Ithaca		
West St. Paul	\$13,000	0	Jamestown		
Mississippi:			Johnson City		
Hattiesburg	\$10,000	50	Johnstown	\$10,000	100
Jackson	\$10,000	50	Kenmore	\$20,000	100
Laurel			Kingston		
Natchez	\$2,000	100	Larchmont	\$20,000	100
Opelousas	\$7,000	50	Lockport	\$20,000	100
Missouri:			Mamaroneck	\$10,000	100
Columbia			Massena		
Florissant			Mount Vernon		
Grandview	\$10,000	100	Newburgh	\$5,000	100
Jefferson City			New York City		
Rolla	\$10,000		North Tonawanda	\$10,000	100
St. Joseph	\$2,000	100	Norwich	\$5,000	100
St. Louis	Sal. + near thous.	100	Pelham Manor	\$5,000	100
Sedalia	\$10,000	100	Port Chester	\$10,000	100
Springfield	\$22,000	0	Rochester	\$2,500	100
Montana:			Rome	\$6,000	50
Anaconda	\$20,000	0	Rye	\$10,000	100
Billings	\$5,000		Saratoga Springs	\$3,000	100
Bozeman			Scarsdale		
Great Falls			Schenectady		
Havre	\$2,000		Scotia		
Helena			Syracuse	\$15,000	100
Missoula			Tonawanda		
Nebraska:			Utica		
Beatrice	\$5,000	100	Watertown		
Columbus	\$5,000	100	Watervliet	\$5,000	100
Fremont	\$10,000	66½	White Plains	\$15,000	0
Grand Island	\$3,000	100	Yonkers	\$5,000	100
Hastings	\$2,000	0	North Carolina:		
Lincoln	\$10,000	66½	Charlotte	\$8,000 to 50,000	60
McCook	\$3,000	100	Goldsboro	Years salary	100
Omaha			Raleigh	\$12,500	
Scottsbluff	\$2,000	100	Salisbury	Yr salary	100
York	\$5,000	100	North Dakota:		
Nevada:			Fargo		
Carson City	\$10,000	100	Grand Fork	\$3,000	100
Henderson	\$5,000	100	Minot	\$5,000	100
Las Vegas	\$10,000				
North Las Vegas	\$10,000	100			
Sparks	\$10,000	60			

Life insurance			Life insurance		
	Amount	Cost to city (percent)		Amount	Cost to city (percent)
Ohio:			Ohio:		
Akron	\$2,000	100	Tiffin		
Alliance	\$5,000	100	Toledo	\$5,000	100
Ashtabula	\$2,000	100	Toronto	\$6,000	100
Athens	\$7,500	100	Troy	\$8,000	100
Avon Lake	\$5,000	100	University Heights	\$5,000	100
Bay Village	\$10,000	100	Upper Arlington	\$10,000	100
Bedford	\$5,000	100	Warren	\$10,000	100
Bellevue	\$2,000	100	Warrensville Heights	\$5,000	100
Berea	\$3,000	100	Westlake		
Boardman Township			Whitehall	\$5,000	100
Bowling Green	\$10,000	100	Wooster		
Brooklyn			Xenia	\$10,000	100
Cambridge	\$4,000	100	Youngstown	\$5,000	100
Canton	\$5,000	100	Zanesville		
Chillicothe	\$2,000	100	Oklahoma:		
Cincinnati	\$1,000	100	Bristow		
Cleveland			Claremore	\$4,000	100
Cleveland Heights			Edmonds		
Clinton Township			Lawton	\$5,000	100
Columbus	\$10,000	100	McAlester	\$2,000	100
Cuyahoga Heights			Oklahoma City	\$5,000	100
Dayton	\$5,000	100	Tulsa	\$12,000	100
Defiance	\$4,000	100	Warr Acres	\$25,000 on, \$2,000 off.	100
Delaware	\$5,000	100	Oregon:		
Dover	\$4,000	100	Ashland	\$10,000	100
East Liverpool	\$10,000	100	Beaverton	\$10,000	100
Elyria			Bend	\$10,000 on 3,000 off.	100
Euclid	\$6,000	50	Canby	\$10,000	100
Fairborn	\$5,000	100	District No. 56	\$10,000	100
Fairview Park			Eugene	\$20,000	100
Fostoria	\$3,000	100	Hillsboro	\$5,000	100
Franklin Township			La Grande	\$20,000	100
Galion			Lake Oswego	\$10,000	100
Garfield Heights			Lebanon	\$30,000	100
Girard	\$2,000	100	Medford	\$10,000	100
Grandview Heights	\$10,000	40	Milwaukie	\$10,000	100
Greenville	\$2,000	100	Oaklodge	\$10,000	100
Hamilton	\$7,000	100	Ontario	\$10,000	0
Independence			Oregon City	\$10,000	100
Ironton			Portland	\$3,000	100
Jackson Township	\$10,000	100	Roseburg	\$10,000	100
Kettering	\$4,000	100	Salem	\$10,000	100
Lakewood			Springfield	\$10,000	100
Lancaster	\$5,000 after 5 yr.	100	The Dalles	\$10,000	100
Liberty Township	\$3,000	100	Winston-Dillard	\$10,000	100
Lima	\$3,000	100	Pennsylvania:		
Lyndhurst			Aliquippa	\$10,000	100
Marietta			Allegheny County	\$17,000	100
Marion	\$2,000	100	Allentown	\$6,000	100
Marion Township			Bethlehem	\$8,000	100
Middleburg Heights			Braddock	\$10,000	100
Mount Vernon	\$2,000	100	Bradford	\$10,000	100
Newark	\$10,000	100	Bristol	\$10,000	100
New Philadelphia	\$12,000	100	Carbondale		
Niles	\$3,000	100	Carnegie	\$15,000	100
North Olmsted			Chester	\$15,000	100
North Ridgeville			Connellsville	\$5,000	100
North Royalton			Corry		
Norwalk			Easton	\$10,000	100
Norwich Township	\$10,000	100	Erie	\$5,000	100
Norwood	\$18,000	100	Greenville	\$34,000	100
Ottawa Hills			Hanover	\$7,500	0
Painesville			Hanover township	\$1,000 per \$1,000 earned.	100
Piqua	\$5,000	100	Harrisburg		
Portsmouth	\$3,000	100	Hazleton	\$15,000	100
Ravenna	\$5,000	0	Homestead	\$15,000 to \$30,000	100
Richmond Heights	\$5,000	100	Johnstown	\$15,000	100
Rocky River			Lancaster	\$9,000	100
St. Bernard	\$10,000	100	Lebanon	\$10,000	100
Salem	\$2,000	100	McKeesport	\$7,500	100
Sandusky	\$10,000 double indemnity.	100	McKees Rocks	\$13,000	100
Saybrook Township			New Castle	\$12,500	100
Shaker Heights	\$7,500 to \$10,000	100	Oil City	\$5,000	100
Sheffield Lake			Philadelphia	\$7,000	100
Solon			Reading	\$10,000	100
Springfield	\$8,000	100	Sharon	\$7,500	100
Steubenville					
Struthers	\$5,000	100			

Life insurance			Life insurance		
	Amount	Cost to city (percent)		Amount	Cost to city (percent)
Pennsylvania:			Washington:		
Springettsbury Township	\$5,000	100	Aberdeen	\$5,000	100
Swissvale	\$10,000	100	Anacortes		
Warren	\$20,000	100	Bellingham	\$5,000	100
Washington	\$15,000	100	Burien	\$5,000	100
York	\$10,000	100	Centralia	\$5,000	50
Rhode Island:			Chehalis	\$2,000	0
Johnston	\$2,000	100	Clark County		
Middletown			Ellensburg	\$7,500	100
Portsmouth	\$1,000	100	Kelso	\$2,000	100
North Kingstown	\$10,000	100	Lakewood Center		
North Providence	\$2,500	100	Longview	\$5,000	0
South Carolina: Easley			Montesano		
South Dakota: Sioux Falls			Moses Lake	\$10,000	
Tennessee:			Mountlake Terrace		
Clarksville	\$7,500		Olympia		
Jackson			Parkland		
Kingsport	\$10,000	100	Pasco	Ann salary	100
Knoxville	\$4,000	100	Pierce County		
Memphis	\$15,000	60	Puyallup	\$5,000	100
Nashville	2 times annual salary	50	Renton	\$8,500	100
Oak Ridge	\$5,000 double individual.	100	Seattle		
Texas:			Sea-Tac Airport	2 X annual salary	100
Abilene	\$2,000	100	Shelton	\$2,000	100
Amarillo	\$3,000	100	Shoreline	\$5 to \$10,000	0
Austin	\$7,000	100	Snomish County	\$8,000	100
Baytown	\$7,000	100	Spokane	\$3,000 city, \$5,000 union.	100
Beaumont			Spokane Airport	\$5,000	0
Brownsville	\$2,000	100	Tacoma	\$10,000	50
Carrollton	\$5,000	100	Toppenish		
Corpus Christi	\$12,000	100	Tukwila	\$10,000	100
Dallas	\$5,000	50	Vancouver	\$4,000	100
Del Rio	\$2,000	100	Wenatchee	\$5,000	100
Denison	\$10,000	100	White Center		
El Paso	\$6,000	100	West Virginia:		
Farmers Branch	\$16,000	100	Beckley	\$10,000	100
Fort Worth	\$10,000	75	Bluefield	\$2,000 to \$4,000	100
Garland	\$10,000	100	Charleston	\$5,000	100
Greenville	\$7,500	100	Clarksburg	\$10,000	100
Houston	\$10,000	100	Huntington	\$5,000	100
Port of Houston			Morgantown	\$50,000	100
Irving	\$10,000	50	Moundsville	\$3,000	100
Kingsville	\$1,000	100	Parkersburg	\$5,000	100
Lubbock			Princeton	\$1,000	100
Mesquite	\$10,000	100	South Charleston	\$10,000	100
Odessa	\$2,500	100	Weirton	\$1,000	100
Orange	\$10,000	100	Wheeling	\$10,000	
Palestine	\$2,000	100	Wisconsin:		
Pantex	\$12,000	100	Antigo	\$10,000	32
Plainview	\$10,000	100	Appleton	\$10,000	100
Piano	\$5,000	100	Ashland	\$8,000	100
San Antonio	\$12,000	100	Baraboo	\$4,000	100
Texarkana	\$2,000	100	Beloit		
Texas City	\$2,000	50	Beloit Township	\$12,000	100
Waco	\$3,500	100	De Pere	\$10,000	32
Wichita Falls	\$3,000	0	Eau Claire	\$10,000 to \$15,000	50
Utah:			Greendale	\$1,000 near salary	100
Logan	\$10,000	100	Greenfield	\$12,000	100
Murray	\$6,000	100	Kaukauna	\$1,000/salary	100
Ogden	\$2,000	75	Kenosha	\$1,000/salary	100
Provo	\$10,000	100	Madison	2 years salary	100
Salt Lake City	\$3,000	100	Manitowoc	\$7,000	
Salt Lake County	\$6 to \$11,000	80.8	Marinette	\$10,000	100
Vermont:			Marshfield	\$1,000/salary	20
Montpelier	\$1,000 ea. \$1,000 salary.	100	Menasha	\$10,000	100
Rutland	\$10,000	100	Milwaukee	1½ times annual salary.	60
Virginia:			Oak Creek:		
Alexandria	Based on salary	50	Oshkosh		
Fairfax			Rice Lake	\$2,000	100
Henrico County			Sheboygan	\$1,000/salary	
Newport News	\$8,500	50	South Milwaukee	\$10,000	100
Norfolk			Superior		
Roanoke	2 times salary	50	Two Rivers	\$11,000	100
Salem			Wausau	Depends on wage and age.	60
			West Allis	\$1,000/salary	50
			West Bend	\$1,000/salary	100

Life insurance			Life insurance		
	Amount	Cost to city (percent)		Amount	Cost to city (percent)
Wisconsin:			Pennsylvania:		
West Milwaukee	\$13,000	100	Carlisle Barracks		
Whitefish Bay	\$13,000	50	Frankford Arsenal	\$2,000 above salary	60
Wisconsin Rapids	\$1,000/salary	32	Indiantown Gap Mil. Res.	\$20,000	33½
Wyoming:			Letterkenny Army Depot		
Casper	\$5,000	100	Virginia: Wallops Island	\$16,000 to \$20,000	
Cheyenne	\$9,000	50			
Sheridan					
U.S. FEDERALS			INDUSTRIALS		
California:			Kentucky: Kenton Co. Airp. Bd.		
Camp Pendleton	\$1,000 annual salary	35	Minnesota: New Brighton	\$5,000 L, 7,500 AD	100
Edwards AFB	\$10,000	0	North Dakota: Nekoma		
Hunters Point NSYD	\$20,000 to \$10,000	0			
San Diego F-33	\$1,000/\$1,000 salary	0	CANADIAN LOCALS		
Colorado: Lowry AFB			Alberta:		
Georgia: Valdosta			Calgary	2 times salary	50
Idaho: Mountain Home AFB	Varies		Edmonton	Municipal plan	
Indiana: Grissom AFB			Lethbridge	Municipal plan	
Maine:			Medicine Hat	Municipal plan	
Brunswick NAS	\$2,000 over salary	33½	Red Deer		70
Portsmouth NSYD	\$2,000 over salary	33½	St. Albert		50
Massachusetts:			British Columbia:		
Fort Devens		50	British Columbia University		
Westover AFB			Burnaby	2 times salary	100
Mississippi: Keesler AFB	Based on salary		Campbell River	1½ times salary	100
Missouri: Grandview	\$20,000	0	Coquitlam	\$15,000 plus A.D. & D.	50
Nebraska: Omaha-Ofutt AFB					

APPENDIX 5



Pension Profile: as reported by locals

Compiled by

IAFF
Research Department
**INTERNATIONAL ASSOCIATION OF
 FIRE FIGHTERS, AFL-CIO-CLC**

1750 New York Avenue, NW • Washington, DC 20006

The great majority of fire fighters are covered by systems that generate a benefit of at least 50% of the final average salary after the completion of 25 years service. Although there are some systems which allow retirements at a younger age with fewer years service, these usually subject the member to a reduced benefit.

Escalation of Pensions

Those who begin retirement today start off with a larger share of their wages than those who began retirement 10 years ago. In spite of the obvious improvements, effective methods have not been developed in all systems that would protect the fire fighter or his survivor against inflation without an adjustment to maintain purchasing power.

Many fire fighters are covered by escalator clauses which rely on the Consumer Price Index and are adjusted quarterly or annually. Other systems use the salary attached to the rank of the retiree. This formula allows the retiree to receive a percentage of any pay increase secured by the local union. One of the advantages of this formula is that a retiree can remain an active member of the local and exert his influence in securing wage adjustments. A disadvantage of this formula is that the local union must face total costs of collective bargaining agreements which includes the retiree's increase.

III

The Research Department has conducted a survey of fire fighter pension systems in the United States and Canada. Rather than preparing a voluminous report on all the legal terminology of each system, it was considered preferable to divide the study into 22 major categories which deal exclusively with service, disability, and survivors benefits of the fire fighter.

Comparison of Benefits

Retirement systems utilize a wide variety of final average salary formulas for computation which creates problems in making comparisons. For example, we may develop criteria for age 50 and 25 years of service, and assume an 8% salary progression rate with the member receiving a \$15,000 salary for his last year prior to retirement, and the pension formula was 50% of the final average salary of the 5 highest years. The resulting pension would be computed as follows:

Annual Sal. 5 yrs. Prior to Ret.	\$10,747
Annual Sal. 4 yrs. Prior to Ret.	11,681
Annual Sal. 3 yrs. Prior to Ret.	12,696
Annual Sal. 2 yrs. Prior to Ret.	13,800
Annual Sal. 1 yr. Prior to Ret.	15,000
Final Average Salary	<u>\$12,784</u>

As can be seen, there would much improvement by simply changing this type of formula to one that uses (for the basis of computation) the salary at the date of retirement.

Probably the best example of a progressive system that not only is adjustable for the cost of living but also is flexible in raising the standard of living, is demonstrated by the contents of the United States Civil Service Act which provides coverage for over 2 million retired and disabled federal employees, both civilian and military personnel.

The Civil Service Retirement Act provides for the following: "Each month the Commission shall determine the percent change in the price index. Effective the first day of the third month that begins after the price index change equals a rise of at least 3 percent for 3 consecutive months over the price index for the base month, each annuity payable from the Fund having a commencing date not later than that effective date shall be increased by 1 percent plus the percent rise in the price index (calculated on the highest level of the price index during the 3 consecutive months) adjusted to the nearest 1/10 of 1 percent."

Rates of Contribution

The rates of contribution of the fire fighters range generally in the 5-6% category, while the employer has no pattern of financial responsibility.

Many of the systems are allowed to operate with little or no employer contribution until the accrued liability has reached tremendous proportions. At that point the employer institutes a crash program to support either a "financially sound" or "actuarially sound"

pension program. The result of this is severe criticism of the so-called "liberal" pension system, or the fire fighters being forced to fund the "accrued liability" of the employer through loss of wages and benefits.

In private industry the great majority of programs are non-contributory as far as the employee is concerned. In the past the fact that public systems are generally contributory meant that most of the superior benefits gained under the municipal plans are provided for from the employees' own funds. However, we now find private plans in contention with the public plans as to benefits and in some cases the private plans surpass the protection and benefits of the plans offered fire fighters.

The trend is towards non-contributory pension systems. The fire fighters must make every effort to initiate programs that will result in contribution reduction or elimination as in the private sector.

I would like to take this opportunity to acknowledge and compliment Mr. Jack Jessop, Director of the IAFF Canadian Regional Office for his survey assistance in Canada. I would also like to thank Mr. Mike Smith, IAFF Labor Relations Consultant, for his assistance in the compilation of the enclosed information. I also thank Local Unions, and State and Provincial Associations for their tremendous help and cooperation.

WALT LAMBERT, Director
Research Department

TABLE OF ABBREVIATIONS

A.	Average	L.	Local Plan
Act. Det.	Actuarily Determined	Lv.	Leave
Ann.	Annuity	Min.	Minimum
Benf.	Benefits	Mo.	Month
Comp.	Compensation	Q.P.P.	Quebec Pension Plan
Contrib.	Contribution	Rank	Salary attached to rank
C.P.I.	Consumer Price Index	Reduc.	Reduced
C.P.P.	Canadian Pension Plan	Ret.	Retirement
Def.	Deferred	S.	Salary
Dis.	Disability	Sr.	Service
Elig.	Eligibility	S.S.	Social Security
F.	Final	St.	State Plan
F.F.	Fire Fighter	Yr.	Year
Int.	Interest		

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
ALABAMA			
Birmingham	45% of Pension child \$10.00	25% F.A.S. child 15% F.A.S.	45% of Pension child \$10.00
Mobile	\$100 per mo.	\$100 per mo.	\$100 per mo.
Selma		\$10,000	
Sheffield		\$10,000	
Tuscaloosa	25% F.A.S. child 15% F.A.S.	25% F.A.S. child 15%	25% F.A.S. child 15% F.A.S.
ALASKA			
Anchorage	50% F.A.S.	50% F.A.S.	50% F.A.S.
ARIZONA			
Phoenix	66.666% of Pension child .1665% of Pension	66.666% of Pension child .1665% of Pension	66.666% of Pension child .1665% of Pension
ARKANSAS			
State Plan All Cities	\$125.00 per mo. child \$35 per mo.	\$125.00 per mo child \$35 per mo.	\$125.00 per mo. child \$35 per mo.
CALIFORNIA			
Bonita -- Sunnyside	Same as retiree or lump sum	50% F.A.S. widow @ 2 child 67.666% F.A.S. widow @ 3 child 75% F.A.S.	1 mo. sal. X yr. sr.
Bakers Field	Options plus \$500	50% F.A.S. widow @ 1 child 62.5% F.A.S widow @ 2 child 70% F.A.S. widow @ 3 child 75% F.A.S.	Return contrib. plus 1 mo. sal. X yr. sr.--max. 6 yrs.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
CALIFORNIA (Cont.)			
Contra Costa	3 options		
Daly City	Return contrib.	\$4,000 + contrib.	\$4,000 + contrib.
Eureka	50% F.A.S. until remarriage	50% F.A.S. until remarriage	50% F.A.S. until remarriage
Fremont	\$500	1 mo. sal. X yr. sr. + contrib.	1 mo. sal. X yr. sr. + contrib.
Fresno	66.666% of Pension	50% F.A.S.	
Hayward	50% of Pension	50% F.A.S. until remarriage	1 mo. sal. X yr. sr. max. 6 yr.
Hollister	Options + \$500	50% F.A.S. widow @ 1 child 62.5% F.A.S. widow @ 2 child 70% F.A.S. widow @ 3 child 75% F.A.S.	1 mo. sal. X yr. max. 6 yr.
Long Beach	Options	50% F.A.S. until no child or age 65	1 mo. sal. X yr. After 10 yr. sr. 33.333% F.A.S.
Los Altos	Options	50%	Contrib. + 1 mo. sal. X yr. sr. max. 6 yr.
Los Angeles	50% F.A.S. to 55% F.A.S.	50% F.A.S. to 55% F.A.S.	After 5 yr. sr. 40% F.A.S.
Los Angeles Co.	Same as retiree	50% of sal. if violent death + 1 child 25% 2 child 40% 3 or more 50%	60% of Pension vested

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
CALIFORNIA (Cont.)			
Modesto	\$90-\$250 per mo. depends on number of dependents	\$90-\$250 per mo. depends on number of dependents	1 mo. sal. X yr. sr. max. 6 yr.
Ontario	Same as retiree until remarriage or children age 18	50% of A.S. (last 3 yr.) until remarriage	6 mo. sal. + return of contrib.
Pasadena	60% of Pension	50% A.S. (highest 3 yr.)	Return contrib.
Redding	Widow or child \$90 widow + 1 child \$180.00 widow + 2 child \$250 per mo.	50% of sal. if violent death widow @ 1 child 62.5% widow @ 2 child 70% widow @ 3 child 75%	Contrib. + 1 mo. sal. X yr. sr. max. 6 yr.
Redwood City	50% of Pension until remarriage	50% aver. of 3 highest yr. if she dies or remarries reverts to child until age 18	Refund of contrib. + 6 mo. sal.
Sacramento	50% of Pension	50% F.A.S.	Contrib. After 10 yr. sr. 50% of non-duty disability formula After age 50 .5 of service retirement formula
Salinas		50% of sal. until remarriage	Contrib. + 6 mo. sal.
San Bernardino	Optional at retirement	50% F.A.S.	
San Diego	25% F.A.S.	25% F.A.S. + state comp. (includes \$28,000)	Contrib. + 6 mo. sal. After 10 yr. sr. 33.333% F.A.S.
San Francisco	75% of Pension	100% until time member would have been elig. for ret. 55% after	Contrib. + 1 mo. sal. After 10 yr. sr. 33.333% F.A.S.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
CALIFORNIA (Cont.)			
San Jose	37.5% of sal. + 25% for 1 child 12.5% for 2-3 child max. 75% sal.	37.5% of sal. + 25% for 1 child 12.5% for 2-3 child max. 75% of sal.	37% of Pension + 25% for 1 child 12.5% for 2-3 child max. 75% of sal.
Santa Barbara	60% of Pension	100% F.A.S.	2% F.A.S. X yr. sr.
Santa Clara		\$90.00 until remarriage widow + 1 child \$180 widow + 2 or more child \$250	Contrib. + 6 mo. sal.
Santa Clara Co.	Based on options	50% until widow remarries or child age 18	Refund of contrib. + 1 mo. sal. X yr. sr. max 6 yr.
Santa Cruz	Based on options	50% until widow remarries If death by violence - widow + 1 child 62.5% widow + 2 child 70% widow + 3 or more child 75%	Contrib + 1 mo.
Stockton	Option	50% of F.A.S.	\$90 - widow + 1 child \$180 - widow + 2 child \$250 - widow + 3 or more child
Torrance	\$180 per mo. + 50% of Pension	50% of F.A.S.	Contrib. + 6 mo. sal.
Union City	\$400 + any temp. ann. benefits depending on ret. option	widow @ 1 child 62.5% F.A.S. widow @ 2 child 70% F.A.S. widow @ 3 or more child 75% F.A.S.	Contrib. + 6 mo.
West Sacramento	\$600.00	\$23,500 + contrib.	\$600.00
Whittier	\$400.00	50% F.A.S. if violent death widow @ 1 child 62.5% F.A.S. widow @ 2 child 70% F.A.S. widow @ 3 or more child 75% F.A.S.	Contrib. + 6 mo.

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
COLORADO			
Boulder	33.333% of 1st class F.F. pay at time of ret. + \$30 per mo. for child	33.333% of 1st class F.F. pay at time of death + \$30 per mo. for child	Same as line of duty death
Canon City	\$100 + 33.333% of mo. sal. + \$30 per mo. for child	\$100 + 33.333% of mo. sal. + \$30 per mo. for child	\$100 + 33.333% of mo. sal. + \$30 per mo. for child
Englewood	33.333% of 1st class F.F. pay + \$30 per child not to exceed normal ret.	33.333% of 1st class F.F. pay + \$30 per child not to exceed normal ret.	33.333% of 1st class F.F. pay + \$30 per child not to exceed normal ret.
Lakewood	33.333% 1st class F.F. pay + \$30 per child	33.333% 1st class F.F. pay + \$30 per child	33.333% 1st class F.F. pay + \$30 per child
Littleton	33.333% 1st class F.F. pay + \$30 per child	33.333% 1st class F.F. pay + \$30 per child	33.333% 1st class F.F. pay + \$30 per child
CONNECTICUT			
Danbury	50% of Pension	50% F.A.S.	2% F.A.S. X yr. sr.
Greenwich	25% of Salary	50% of Salary	
Hartford	50% of Pension	100% of Salary	25% F.A.S.
Meriden	25% of Salary	50% of Salary until ret. age then 25%	25% of Salary
Middletown	50% of Salary	50% of Salary + cash payment	50% of Salary after 10 yr. sr.
New Britain	25% of Salary + 1% per yr. over 25 yr. sr.	25% of Salary + 1% per yr. over 25 yr. sr.	After 10 yr. sr. 25% of Salary + 1% per yr. over 25 yr. sr.
Norwalk	50% of aver. last 2 yr. sal.	50% aver. last 2 yr. sal.	50% aver. last 2 yr. sal.
Stratford	50% of Pension	50% of Salary	After 10 yr. sr. 25% of sal.

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
CONNECTICUT (Cont.)			
Waterbury	25% of sal.	25% of sal.	25% of sal.
Westport	Same as retiree	66.666% of sal.	Max. 50% of sal. Determined by board
DISTRICT OF COLUMBIA			
Washington	Widows -- greater amt. of \$4,385 or 40% sal. at time of death Child -- smallest amt. of \$996 or \$2,988 divided by number of children	Widows -- greater amt. \$4,385 or 40% sal. at time of death Child -- smallest amt. of \$996 or \$2,988 divided by number of children + \$50,000	Widows -- greater amt. \$4,385 or 40% sal. at time of death Child -- smallest amt. of \$996 or \$2,988 divided by number of children
DELAWARE			
Wilmington	50% of Pension	After 15 yr. sr. 50% of Pension entitled to	After 15 yr. sr. 50% of Pension entitled to
FLORIDA			
Clearwater	25% max. Pension + 7.5% each child to 50% max. total	50% sal. + 7.5% each child max. 60%	2.5% F.A.S. X yr. sr. + 7.5% F.A.S. each child max. 50%
Dade Co.	Benifits decrease on selection of 4 options	50% sal. until remarriage	Refund contrib.
Ft. Lauderdale		Varies according rank & pay grage \$20,000 state coverage	
Hollywood	50% of Pension	50% sal.	25% sal.
Jacksonville	66.666% of Pension + \$15 each child	66.666% sal. + \$15 each child	
Lake Worth	50% of Pension until remarriage	50% sal.	
Melbourne		Contrib.--after 10 yr. sr. normal ret.	Contrib.--after 10 yr. sr. normal ret.

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
FLORIDA (Cont.)			
Miami	Variety of options including 40% to widow without cost to retiree	50% F.A.S.	Contrib. + 6 mo. sal.--paid for sick lv. & accumulated time
Miami Beach	50% of Pension + \$100 per mo. per child	Full Pension 1 yr. 50% thereafter + \$100 per child until age 21 min. \$325 mo.	50% of Pension + \$100 per mo. per child
Miami Springs	After 10 yr. sr. 1.5% sal. X yr. sr.		
Palm Beach Airport	Benefits decrease on selection of options	50% sal.	Contrib.--after 10 yr. sr. benefits computed
St. Petersburg	25% sal. + 7.5% each child max. 50%	30% highest pay grade class + 7.5% each child max. 60%	25% sal + 7.5% each child max. 50%
Tampa	65% of Pension	65% of Pension	After 10 yr. sr. 65% of Pension
GEORGIA			
Atlanta	50% of Pension	1 yr. sal. + 48.75% of 3 highest yr. sr. A.S. or 48.75% of 1st class F.F. sal.	50% amt. F.F. would have received for non-duty disability had he retired on date of death
HAWAII			
Honolulu (Also counties of Kauai-Hawaii-Maui)	Several options	Return contrib. + interest and mo. Pension of 50% of his aver. final comp. until spouse remarries or dies If no spouse benefits to children If employee was elig. for sr. pension at time of death spouse may elect to receive 50% of pension for life in lieu above	Return contrib. + interest and cash payment of 50% of annual sal. if he has 1-10 yr. sr. Also additional cash payment of 5% of annual sal. per yr. sr. over 10 yr. max. 100% If employee was elig. for sr. pension at time of death spouse may elect to receive 50% pension for life in lieu above

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
IDAHO			
State Plan All Cities	Retirees Pension	50% as F.F. in state	After 5 yr. sr. 2% as F.F. in state X yr. sr. max. 50%
ILLINOIS			
State Plan All Cities Except Chicago	Wido 40% F.A.S. child 8% F.A.S. 12% each child if mother dies	Widow 40% F.A.S. child 8% F.A.S. 12% each child if mother dies	Widow 40% F.A.S. child 8% F.A.S. 12% each child if mother dies
Chicago	Widow: amt. not less than \$150 per mo. as det. at time of ret. in F.F. Acct. for ann. .5 orphan 10% F.A.S. full orphan 15% F.A.S.	75% F.A.S.	Amt. not less than \$150 per mo. provided by contrib. contrib. for ann. purposes
INDIANA			
State Law All Cities	\$600 widow 30% F.A.S. child 10% F.A.S.	City pays \$10,000 Children assured education widow 30% F.A.S. child 10% F.A.S.	Widow 30% F.A.S. Child 10% F.A.S.
IOWA			
State Plan All Cities	50% of Pension min. \$75 child \$20	50% F.A.S. child + \$20 + ann. accumulation	25% F.A.S. min. \$75
KANSAS			
Kansas City	.5 mo. sal. + 75% of Pension	50% F.A.S. & 10% each child max. 75%	After 5 yr. sr. .5 mo. sal. + 2% F.A.S. X yr. sr.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
KENTUCKY			
Covington	1.5% highest 3 yr. sr. A.S. X yr. sr. 1 child add .5% 2 child add .25% max. 50%	50% sal. + 10% for child max. 70%	1.5% A.S. (highest 3 yr. sr.) X yr. sr. 1 child add .5% 2 child add .25% max. 50%
Lexington	1.5% A.S. (highest 3 yr. sr.) X yr. sr. 1 child add .5% 2 child add .25% max. 50%	50% sal. +10% for child max. 70%	1.5% A.S. (highest 3 yr. sr.) X yr. sr. 1 child add .5% 2 child add .25% max. 50%
Louisville	Retirees benefits	100% F.A.S.	100% F.A.S.
Murray	Widow: 50% sal. Child: \$24 per mo.	Widow: 50% sal. Child: \$24 per mo.	Widow: 50% sal. Child: \$24 per mo.
Paducah	50% F.A.S.	Widow: 50% F.A.S. Child: 10%	
LOUISIANA			
Bogalusa	66.666% of Pension not to exceed \$200 max. \$300--widow & children	66.666% of Pension not to exceed \$200 max. \$300--widow & children	Less than 10 yr. sr. \$100 + \$25 per child up \$200 max. 11-20 yr. sr. \$200 + \$25 per child not exceed \$300
Lake Charles	Retiree benefits until children age 18 yr.---50% of Pension after min. \$200	Retiree benefits until children age 18 yr.---50% of Pension after min. \$200	Retiree benefits until children age 18 yr.---50% of Pension after min. \$200
New Iberia	Retiree benefits until children age 18 yr.---50% of Pension after	Retiree benefits until children age 18 yr.---50% of Pension after	Retiree benefits until children age 18 yr.---50% of Pension after
New Orleans	Widow: \$200 per mo. Child: \$75 per mo.	50% sal. + \$75 for child	Widow: \$200 per mo. Child: \$75 per mo.
Quachita Parish	Widow: \$200 per mo. until remarriage Child: \$15 per mo. max. 66.666% sal.	Widow: \$200 per mo. until remarriage Child: \$15 per mo. max. 66.666% sal.	Widow: \$200 per mo. until remarriage Child: \$15 per mo. max. 66.666% sal.
Shreveport	Widow: 50% starting sal. Child: 17% max. 85% starting sal.	Widow: 50% saarting sal. Child: 17% max. 85% starting sal.	Widow: 50% starting sal. Child: 17% max. 85% starting sal.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
MAINE			
Bath	?	?	?
MARYLAND			
Annapolis	Plan Pending	Plan Pending	Plan Pending
Baltimore--Fire Fighters	37.5% of Pension	100% sal.	After 2 yr. sr. 25% sal.
Cumberland	Under options beneficiary receives monthly payment for life or lump sum to 50% of aver. final comp.	Ann. based on contrib. + interest and Pension to 66.666% of aver. final comp.	Accumulated contrib. with interest + lump sum amt. to 50% of aver. final comp.
MASSACHUSETTS			
State Plan	66.666% of Pension	100% of pay to widow while at a fire proceeding to and coming from an alarm. Otherwise 72% of pay for widow + \$312 each child + total employee contrib.	After age 55 F.A.S. X age factor X yr. sr. prior to age 55 - same formula= age factor=option C
MICHIGAN			
State Plan (Municipalities Covered by PA-345----M.E.R.S.)	Option 1 - reduced Pension to retiree same amt. to widow Option 2 - Full Pension to retiree 50% Pension to widow	Widow & children will receive same amt. as that which has been paid under W.C.	W.C.
Following Municipalities Not Covered by PA-345 (M.E.R.S.)			
Adrian			
Alpena			
Ann Arbor	Option 1 which is a reduced Pension to provide for depen- dent Amt. based on age of employee & his dependent	2.75% F.A.S. X yr. sr. 10 yr. sr. waived + W.C.	After 10 yr. sr. sr. ret. formula reduced 20%

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
MICHIGAN (Cont.)			
Bay City	50% of Pension	Widow: 33.333% of final comp. Children: 25% each of final comp. + ret. contrib.	Widow: 50% earned Pension (25% min.) 1 child: 15% of Pension 2 or more: 25% each of max. Pension base
Birmingham	Widow: 33.333% F.A.C. Children: 25% F.A.C.	33.333% F.A.C. Child: 25% F.A.C.	Refund of contrib. + interest
Cadillac	After 20 yr. sr. same as retiree prior to 20 yr. sr. refund of contrib	After 20 yr. sr. same as retiree prior to 20 yr. sr. refund of contrib.	After 20 yr. sr. same as retiree prior to 20 yr. sr. refund of contrib.
Garden City	Optional - member must take a reduc. Pension to cover widow	Survivors get reduc. Pension as if man retired day before death and elected to take a reduc. Pension	Survivors get reduc. Pension as if man retired day before death and elected to take a reduc. Pension
Highland Park	Reduc. Pension	Same as regular ret. or 33.333% of final sal. to widow until remarriage or death .1% to children Pension contrib. returned	After elig. for ret. -- 33.333% of F.A.C. -- .1% F.A.C. to child Prior to ret. elig. return of contrib.
Livonia	Reduc. benefits if option selected prior to ret.	W.C. - Pension equal to W.C. at expiration of W.C.	
Marysville	Widow receives the difference between accumulated contrib. and aggregate amt. of straight life Pension payments	50% F.A.S.	After 10 yr. sr. 50% F.A.S.
Meridian	50% of Pension	50% F.A.S.	
Pontiac	50% retiree Pension if over 55 - 10% for children	1 yr. sal. in cash + 50% F.A.S.	1.75% F.A.S. X yr. sr. until children age 18 widow's Pension ceases at age 55

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
MICHIGAN (Cont.)			
Wayne	Option - reduc. ret. allowance	66.666% F.A.C. + 25% F.A.C. for children	2% F.A.S. X yr. sr. min. 15% F.A.S.
MISSOURI			
Columbia	Widow: 66.666% of Pension	Widow: 50% of high- est aver. sal. Children: monthly benefits equal to S.S. benefits had employee been cov- ered by S.S.	Widow & children monthly benefits equal to S.S. benefits had employee been cov- ered by S.S.
Grandview	Remainder of contrib. refunded	Refund contrib. + 1% interest	Return of contrib. + 1% per yr. interest
Independence	Remainder of contrib. refunded	2 yr. base sal. + contrib. refunded	
Kansas City	Widow: 25% sal. Children: \$25 per mo.	Widow: 25% sal. Children: \$25 per mo.	Widow: 25% sal. Children: \$25 per mo.
Springfield	Widow: 50% sal. Children: 10% sal. max. 70%	Less than 5 yr. sr. 25% sal. over 5 yr. sr. 50% sal.	Less than 5 yr. sr. 25% sal. over 5 yr. sr. 50% sal.
MONTANA			
State Plan Locally Controlled			
Great Falls	50% F.A.S.	50% F.A.S.	50% F.A.S.
Missoula	50% F.A.S.	After 6 mo. sr. 50% F.A.S.	After 6 mo. sr. 50% F.A.S.

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
MINNESOTA			
Albert Lea	30% 1st class F.F. add 10% for child max. 50%	30% 1st class F.F. add 10% for child max. 50%	30% 1st class F.F. add 10% for child max. 50%
Austin	50% 1st class F.F.	50% 1st class F.F.	50% 1st class F.F.
Cloquet	\$100--with children \$150	\$100--with children \$150	\$100--with children \$150
Columbia Heights	40% 1st class F.F. sal. with child add 5% max. 50%	40% 1st class F.F. sal. with child add 5% \$5,000 + W.C.	40% sal.--with child add 5% max. 50%
Duluth	?	?	?
Faribault	\$100--1st child \$20 other children \$10 max.\$175	\$100--1st child \$20 other children \$10 max.\$175 \$3,000 life ins.	\$100--1st child \$20 other children \$10 max.\$175
Minneapolis	21/40 1st class F.F. sal.---child 8/40	Same as W.C.	Same as W.C.
Moorehead	\$75 per mo. or 50% earned Pension at date of death	\$75 per mo. or 50% earned Pension at date of death	\$75 per mo. or 50% earned Pension at date of death
Red Wing	\$100--child \$25 max. \$150	\$100--child \$25 max. \$150 min. 5 yr. sr.	\$100--child \$25 max. \$150 min. 5 yr. sr.
Richfield	40% 1st class F.F. sal.--child 5% max. 50%	40% 1st class F.F. sal.--child 5% max. 50%	40% 1st class F.F. sal.--child 5% max. 50%
Rochester	Widow: 18 units Children: 6 units max. 36 units Unit=1/75 1st class F.F. sal.	Widow: 18 units Children: 6 units max. 36 units Unit=1/75 1st class F.F. sal.	Widow: 18 units Children: 6 units max. 36 units Unit=1/75 1st class F.F. sal.
St. Louis Park	Widow: 40% 1st class F.F. sal. Children: 5% max. 50%	Widow: 40% 1st class F.F. sal. Children: 5% max. 50%	Widow: 40% 1st class F.F. sal. Children: 5% max. 50%

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
MINNESOTA (Cont.)			
So. St. Paul	Widow: 27% 1st. class F.F. sal. Children: 5% max. 50%	Widow: 27% 1st class F.F. sal. Children: 5% max. 50%	Widow: 27% 1st class F.F. sal. Children: 5% max. 50%
West St. Paul	Widow: 30% sal. Children: 5% sal. max. 40%	Widow: 30% sal. Children: 5% sal. max. 40%	Widow: 30% sal. Children: 5% sal. max. 40%
Winona	Widow: 18 units Children: 6 units unit=1/85 1st class F.F. sal.	Widow: 18 units Children: 6 units unit=1/85 1st class F.F. sal.	Widow: 18 units Children: 6 units unit=1/85 1st class F.F. sal.
MISSISSIPPI			
Biloxi	50% sal.--20 yr. sr. 66.666% sal.--30 yr. sr.	50% sal.	\$100 per mo. or 1/40 base pay X yr. sr.
Jackson	Same as retiree	50% sal.--more than 20 yr. sr. normal ret. formula	1/40 F.A.S. X yr. sr.
Laurel	Same as retiree until remarriage	50% sal.	5 yr. sr. - 5/40 sal. 6 yr. sr. - 6/40 sal. max. 50% sal.
NEVADA			
Clark County	Option selected by retiree or widow at age 60 50% sal. 3 high yr. last 10 yr. sr. or \$125 per mo. whichever is less	After 2 yr. sr. \$100 per mo.-widow \$75 per child	After 10 yr. sr. \$100 per mo.-widow \$75 per child
Las Vegas	Prior to ret. man must select option else widow receives nothing except unused contrib. of ret. plan. If option is selected widow receives reduc. allotment for life	After 20 yr. sr. - reg. sr. ret.-less 20 yr. sr. - widow gets monthly allowance of \$100 and children \$75 per mo. (max. of 3)	After 20 yr. sr. - reg. sr. ret.-less 20 yr. sr. - widow gets mo. allowance of \$100 and children \$75 per mo. (max. of 3)

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
NEVADA (Cont.)			
Reno	Prior to ret. man must select option else widow receives nothing except unused contrib. of ret. plan. If option is selected widow receives reduc. allotment for life	Regular sr. ret. or \$100 per mo. to widow \$75 per mo. each child up to max. \$310	Regular sr. ret. or \$100 per mo. to widow \$75 per mo. each child up to max. \$310
NEW JERSEY			
State Plan All Cities	25% to 50% of Pension with children under age 18 unless retarded plus 50% of last yr. sal. if over age 55	50% sal. until remarried + 3.5 times last yr. sal. (lump sum)	3.5 times last yr. sal. + all Pension contrib.
NEW MEXICO			
State Plan All Cities	Depends on option selected by retiree	Total contrib. + widow receives 33.333% final sal. as ann. children 25% of final mo. sal. until remarriage max. \$300	After 5 yr. sr. 50% F.A.S. until remarriage

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
NEW YORK			
New York State Pension System All Cities Except New York--System Varies Depending on Local Ordinances and Negotiations	Option 0-----No option. Maximum retirement benefits all to retiree. No payments to any survivors. Option 1/2-----Guaranteed return of contributions to retiree or survivor. Before retirement - beneficiary may elect either an annuity or lump sum payment - full pension to retiree. Option 1-----Return of all contributions plus reserve by the employer to the beneficiary before retirement eligibility. Option 2-----Reduced pension to retiree - some pension to survivors. Option 3-----Reduced pension to retiree - 50% pension to survivor.		
Binghamton		Local Pension widow gets \$125 per mo. also benefits from state pension fund	Local Pension widow gets \$125 per mo. also benefits from state pension fund
Buffalo		50% sal.	1/60 F.A.S. X yr. sr. or lump sum payment
Eastchester		50% F.A.S.	
Elmira		50% F.A.S.	3 times last 12 mo. sal. max. \$20,000
Gloversville		50% F.A.S.	1/12 sal. last 12 mo. X yr. sr. max. 3 yr.
Long Beach		1 yr. sal. plus contrib.	Contrib.
Mount Vernon		50% F.A.S.	1 mo. sal. X yr. sr. + contrib.
Niagara Falls		50% F.A.S.	
New Rochelle		1 mo. sal. X yr. sr. (max. 36 mo.) + all contrib.	1 mo. sal. X yr. sr. (max. 36 mo.) + all contrib.
New York		50% sal.	1 yr. sal. (if over 10 yr. sr.) + return of pension contrib. 50% yr. sal. under 10 yr. sr.
Norwich		Max. 2 yr. F.A.S.	
Port Chester		1 mo. sal. up to 12 yr. sr.--1 yr. sal. after 12 yr. sr.	

MUNICIPALITY-STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
NEW YORK (Cont.)			
Roughkeepsie	Option 0-----No option. Maximum retirement benefits all to retiree. No payments to any survivors. Option 1/2-----Guaranteed return of contributions to retiree or survivor. Before retirement - beneficiary may elect either an annuity or lump sum payment - full pension to retiree. Option 1-----Return of all contributions plus reserve by the employer to the beneficiary before retirement eligibility. Option 2-----Reduced pension to retiree - some pension to survivors. Option 3-----Reduced pension to retiree - 50% pension to survivor.	50% sal.	1/60 yr. sal. X yr. sr. + \$1,000 per child
Schenectady		\$20,000 ins. + 1 mo. sal. X yr. sr. up to 12 yr. then 1 mo. sal. for each 2 yr. sr. up to an additional 12 yr.	1 mo. sal. X yr. sr. up to 12 yr. then 1 mo. sal. for each 2 yr. sr. up to an additional 12 yr.
Syracuse		50% sal. to widow for life or until she remarries--if remarried, benefits continue to children	1 mo. sal. X yr. sr. max. 36 mo.
Watertown		50% F.A.S.	<u>A.</u> 1 mo. sal. X yr. sr. <u>B.</u> 3 times annual rate of comp. max. \$2,000 <u>C.</u> If min. ret. sr. time is met the total reserve accumulation in pension system (unless <u>A.</u> or <u>B.</u> is more)

MUNICIPALITY-STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
NORTH CAROLINA			
Raleigh	Based on option 1. continue drawing same amt. 2. lump sum + interest 3. reduc. rate for life	Amt. equal to comp. earned in the yr. preceding death max. \$15,000	
NORTH DAKOTA			
Fargo	60% of Pension	Twice the monthly sal. 1st class F.F. + 60% sal.	Twice the monthly sal. 1st class F.F. + 60% sal.
OHIO			
State Plan All Cities	Widow \$135 Child \$45	Widow \$135 Child \$45	Widow \$135 Child \$45
OKLAHOMA			
Oklahoma City	Same as retiree until remarriage	Same as retiree until remarriage	1/40 F.A.S. X yr. sr.
Tulsa	Same as Pension unless widow remarries then children get full pension until 18 yr. (girls) (21 yr. boys) If physically or mentally re- tarded pension con- tinues	Same as Pension unless widow remarries then children get full pension until 18 yr. (girls) (21 yr. boys) If physically or mentally re- tarded pension con- tinues	Same as non-duty disability ret. and restrictions of sr. death
PENNSYLVANIA			
Allentown	Same as retiree	50% F.A.S.	

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
PENNSYLVANIA (Cont.)			
Altoona	Same as retiree	50% F.A.S.	50% F.A.S.
Bethlehem	50% of Pension	50% of Pension	
Butler		\$40 per mo. if no widow \$10 per child up to \$40	None
Carnegie	Widow: \$75 per mo. Child: \$25 per mo.	Widow: \$75 per mo. Child: \$25 per mo.	Widow: \$75 per mo. Child: \$25 per mo.
Easton	50% sal.	50% sal.	50% sal.
Erie	50% F.A.S.	50% F.A.S.	
Farrell	50% F.A.S. until widow remarries	50% F.A.S. until widow remarries	W.C. + \$13,250 life ins.
Harrisburg	50% F.A.S. until widow remarries	50% F.A.S. until widow remarries	50% F.A.S. until widow remarries
Hazleton	50% F.A.S.	1/40 F.A.S. X yr. sr.	1/40 F.A.S. X yr. sr.
Homestead	Return of contrib.	Return of contrib.	Return of contrib.
Johnstown	50% F.A.S.	50% F.A.S.	50% F.A.S.
Lancaster	50% F.A.S. until remarriage	50% F.A.S. until remarriage--comp. for child	After 20 yr. sr. return contrib.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
PENNSYLVANIA (Cont.)			
McKeesport	50% F.A.S.	50% F.A.S.	\$250 + contrib.
New Castle	50% F.A.S.	50% F.A.S.	50% F.A.S.
Philadelphia	50% of Pension	60% F.A.S. + 10% per child max. 80% of F.A.S. + refund of contrib.	Must have 10 yr. sr. Pension based on age of F.F. & beneficiary. Pen- sion computed as if F.F. ret. day preceding death
Pittsburgh	50% of Pension	50% of Pension + \$39 a wk. state comp. State comp. increases to \$46 a wk. for 2 chil- dren \$60 a wk. for over 3 children	50% F.A.S.
Sharon	50% F.A.S.	50% F.A.S.	50% F.A.S.
Swissvale	None	None	None
Wilkes-Barre	50% F.A.S.	50% F.A.S.	Less than 20 yr. sr. refund contrib.
Wilkinsburg			
York	50% F.A.S.	50% F.A.S.	50% F.A.S.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
RHODE ISLAND			
Central Falls	None	\$5,000 sal. + \$5,000 ins.	\$5,000 group ins.
Cranston	None	None	None
Johnston	120 months Pension + options	50% F.A.S. + 10% per child up to max. 70% F.A.S.	After 3 yr. sr. 30% increased by 1.5% each yr. to max. 50% widow age 55 unless minor children then max. of 60%
Narragansett	1. 5 monthly pension installments + \$300 or 2. Total contrib. made less amt. of pension received whichever greater	50% F.A.S.	Total contrib. made to benefici- ary + \$250 for each yr. sr. min. \$1,000 max. \$5,000
Newport	66.666% of Pension	66.666% of pro- rated (to 25 yr.) pension	66.666% of pro- rated (to 25 yr.) pension
Portsmouth	None	None	None
Smithfield	\$5,000 + 30% F.A.S. child 10%	Total contrib. + 50% F.A.S. + 10% for each child	
West Warwick	Survivor options	\$1,800 + \$600 for child	None
Woonsocket			
SOUTH CAROLINA			
Rock Hill	Same as retiree	2% F.A.S. X yr. sr. + W.C. 1 yr. sal. + children free college education	2% F.A.S. X yr. sr. + W.C.
SOUTH DAKOTA			
Aberdeen			

MUNICIPALITY--STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
TENNESSEE			
Johnson City	Remainder of contrib. not paid in Pension	Refund contrib.	Refund contrib.
Memphis	Same as retiree until remarriage	50% F.A.S.	After 15 yr. sr. return contrib. after 16 yr. sr. 50% F.A.S. (last 12 mo. or 5 yr. sr.)
Nashville	4 options with amt. Act. Det.	\$50,000 hazardous duty payment 75% of amt. by which a disability pension exceeds S.S. benefits	Refund contrib. + S.S.
TEXAS			
Abilene	33.333% F.A.S. max. \$240 per mo.	33.333% F.A.S. max. \$240 per mo.	33.333% F.A.S. max. \$240 per mo.
Amarillo	66.666% of Pension until remarriage min. \$150 per mo. if she dies each child gets \$40 per mo. (max. \$120 per mo.)	Percentage F.A.S. X yr. sr. pension will be computed as if he continued sr. until S.S. and completed 20 yr. sr.	5% of on duty allowance per yr. of participation in fund (max. 20 yr.) with min. of \$50 per mo. If widow dies each child gets \$40 per mo. (max. \$120 per mo.)
Beaumont	33.333% F.A.S. widow \$20 per mo. to each child	33.333% F.A.S. max. sr. pension	5% F.A.S. X yr. sr. max. \$150 per mo. each child \$20 per mo.
Corpus Christi	Same as retiree no widow--each child receives \$49.71	Same as retiree no widow--each child receives \$49.71	Same as retiree no widow--each child receives \$49.71
El Paso	66.666% of Pension until youngest child is age 17 then 50% of pension to widow	66.666% of Pension until youngest child is age 17 then 50% of pension to widow	66.666% of Pension until youngest child is age 17 then 50% of pension to widow
Farmers Branch	None	None	None

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
TEXAS (Cont.)			
Houston	Widow receives same as member until remarriage. Children receive same amt. Widow without children cannot receive more than 50% pay of F.F. \$414.50 max.	Widow receives same as member until remarriage. Children receive same amt. Widow without children cannot receive more than 50% pay of F.F. \$414.50 max.	Widow receives same as member until remarriage. Children receive same amt. Widow without children cannot receive more than 50% pay of F.F. \$414.50 max.
Irving	33.333% F.A.S.	33.333% F.A.S.	33.333% F.A.S.
Midland	33.333% F.A.S. \$40 1st child \$20 each additional child	33.333% F.A.S. \$40 1st child \$20 each additional child	33.333% F.A.S. \$40 1st child \$20 each additional child
Odessa	66.666% of Pension + \$40 per each child	66.666% of Pension + \$40 each child	66.666% of Pension + \$40 each child
San Antonio			
VIRGINIA			
Fairfax Co.	None	\$10,000 life ins. provided by county + contrib.	Return contrib.
WEST VIRGINIA			
State Plan All Cities	30% A.S. (high 5 yr. sr.) + 15% A.S. (high 5 yr. sr.) to children	Widow: 30% F.A.S. up to 20 yr. sr. after 20 yr. sr. 30% A.S. (5 high yr. sr.)	Widow: after 5 yr. sr. 30% F.A.S. + 15% F.A.S. to children
WASHINGTON			
State Plan All Cities	50% F.A.S. + 5% each child	50% F.A.S. + 5% each child	50% F.A.S. + 5% each child

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
WISCONSIN			
State Plan All Cities Except Milwaukee	3 options 1. Straight life annuity 2. Life ann. with 180 guaranteed monthly payments 3. Joint survivorship ann. where wife receives 75% of pension	33.333% sal. until remarriage \$15 per mo. per child	Return contrib. + interest earned
Milwaukee	Widow: 70% of Pension + \$115 per mo. until youngest child is age 18 and again after widow is age 62. Children \$115 per mo.	60% A.S. + \$115 per mo. for wife + \$115 per mo. for children	Return of contrib. + \$115 per mo. for widow + \$115 per mo. for children

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
ALBERTA			
Calgary	Widow receives 55% of pension C.P.P.	Receive full sal. of F.F. until date of normal ret. then 55% of normal pension + C.P.P.	Depending on sr. C.P.P.
Edmonton	Joint survivors pension choice, C.P.P.	Full salary until his normal ret. age	After 10 yr. sr. joint survivors pension C.P.P.
Lethbridge	Joint survivors pension choice C.P.P.	After 10 yr. sr. joint survivors pension W.C. & C.P.P.	After 10 yr. sr. joint survivors pension C.P.P.
Medicine Hat	Joint survivors pension choice C.P.P.	Full sal. until normal ret. age	After 10 yr. sr. joint survivors pension C.P.P.
Red Deer	Joint survivors pension choice C.P.P.	Full sal. until normal ret. age	After 10 yr. sr. joint survivors pension C.P.P.
BRITISH COLUMBIA			
Provincial Plan All Cities	Pensioner makes choice of plan and may decide what type of protection he wishes for his dependents + C.P.P.	After 10 yr. sr. 50% of what he would have got at age 55 + credit for the number of yr. he could have worked to age 55 X the remaining 50% + W.C. & C.P.P.	After 10 yr. sr. 50% of what he would have got at age 55 + credit for the number of yr. he could have worked to age 55 X the remaining 50% + W.C. & C.P.P.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
MANITOBA			
Fort Garry	60 monthly payments and C.P.P.	Return contrib. + interest W.C. & C.P.P.	Return contrib. + interest & C.P.P.
Portage La Prairie	C.P.P.	1 yr. sal. + W.C. and C.P.P.	1 yr. sal. + C.P.P.
St. Boniface	C.P.P.	W.C. and C.P.P.	C.P.P.
St. James	Min. of 60 mo. pension payments & C.P.P.	Refund contrib. + interest + W.C. & C.P.P.	Refund contrib. + interest & C.P.P.
St. Vital	Guarantee of 60 mo. pension payments & C.P.P.	Return contrib. + interest + W.C. & C.P.P.	Return of contrib. + interest & C.P.P.
Winnipeg	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	After 30 yr. sr. 50% pension. Less than 30 yr. sr. return contrib. + C.P.P.
NEWFOUNDLAND			
St. John's	50% pension & C.P.P.	W.C. & C.P.P.	50% pension & C.P.P.
NEW BRUNSWICK			
Moncton	Pension guaranteed 5 yr. + C.P.P.	W.C. & C.P.P.	Return contrib. + 3% interest and C.P.P.
St. John	50% pension & C.P.P.	60% F.A.S. & C.P.P.	50% pension & C.P.P.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
NOVA SCOTIA			
Dartmouth	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
Halifax	50% pension + 10% for children up to a max. of 4 + C.P.P.	50% pension + 10% for children up to a max. of 4 + W.C. and C.P.P.	50% pension & C.P.P.
Truro	C.P.P.	W.C. & C.P.P.	C.P.P.
ONTARIO			
The following Cities have the same plan	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
Barrie			
Brampton			
Collingwood			
Dundas			
Fort Francis			
Galt			
Guelph			
Hamilton			
Kingston			
Kirkland			
Kitchener			
Mississauga			
Niagara Falls			
Oakville			
Oshawa			
Scarborough			
Sudbury			
Thorold			
Thunder Bay			
Welland			
Whitby			
Chatam	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
Deep River	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
East York	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
ONTARIO (Cont.)			
London	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
North York	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
Ottawa	50% pension & C.P.P.	50% pension + 10% each child max. 75% earned pension + W.C. & C.P.P.	50% pension + 10% each child max. 75% earned pension + W.C. & C.P.P.
Pembroke	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
Richmond Hill	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
St. Catharines	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
Toronto	50% pension & C.P.P.	50% pension & grant from city equivalent to W.C. & C.P.P. (additional grants subject to Council's approval)	After 15 yr. sr. 50% pension and C.P.P.
Wallaceburg	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.
Waterloo	50% pension & C.P.P.	50% pension + W.C. and C.P.P.	50% pension & C.P.P.

MUNICIPALITY—STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
QUEBEC			
Arvida	Q.P.P.	W.C. and Q.P.P.	Q.P.P.
Baie Comeau	Q.P.P.	W.C. and Q.P.P.	Q.P.P.
Joliette	50% pension & Q.P.P.	W.C. and Q.P.P.	Q.P.P.
Lachine		W.C. and Q.P.P.	Return contrib. + Q.P.P.
Lasalle	10 yr. guarantee Q.P.P.	Return contrib. + W.C. and Q.P.P.	Return contrib. + Q.P.P.
Montreal and Montreal Chiefs	50% pension & Q.P.P.	50% pension + an amt. approved by the city Q.P.P. and W.C. min. 75% of deceased sal.	50% pension after 10 yr. sr. Q.P.P.
Mount Royal	50% pension & Q.P.P.	50% A.S. (last 10 yr. sr.)	Return contrib. + Q.P.P.
Outremont	\$12,000 ins. and Q.P.P.	Return contrib. + W.C. and Q.P.P.	Return contrib. + Q.P.P.
Sherbrooke	Pension guaranteed 5 yr. and Q.P.P.	Return contrib. + interest + W.C. and Q.P.P.	Return contrib. + interest + Q.P.P.
SASKATCHEWAN			
Moose Jaw	4 yr. guarantee + C.P.P.	Return employee's contrib. with 3% interest and re- turn of employer's contrib. + W.C. and C.P.P.	Return employee's contrib. with 3% interest and re- turn of employer's contrib. + C.P.P.

MUNICIPALITY-STATE/PROV.	SURVIVORS BENEFITS FORMULA (Widow & Children)		
	SERVICE DEATH (WHILE ON PENSION)	LINE OF DUTY DEATH	OFF-DUTY DEATH
SASKATCHEWAN (Cont.)			
Prince Albert	5-10 yr. guarantee or last survivor's clause	W.C. and C.P.P.	5-10 yr. guarantee or last survivor's clause and C.P.P.
Regina	50% pension & C.P.P.	50% pension + 20% for each child to max. F.F. elig. pension + W.C. and C.P.P.	After 20 yr. sr. 50% F.F. pension + 20% for each child up to 75% of F.F. elig. pension and C.P.P.
Saskatoon	Percentage of pension guarantee + C.P.P.	W.C. and C.P.P.	Percentage of pension guarantee + C.P.P.
Swift Current	Based on Board's approval, option of 3 ways 1. Lump sum payment 2. Payment by instalment 3. Selection of purchase of ann. C.P.P.	W.C. and C.P.P.	C.P.P.